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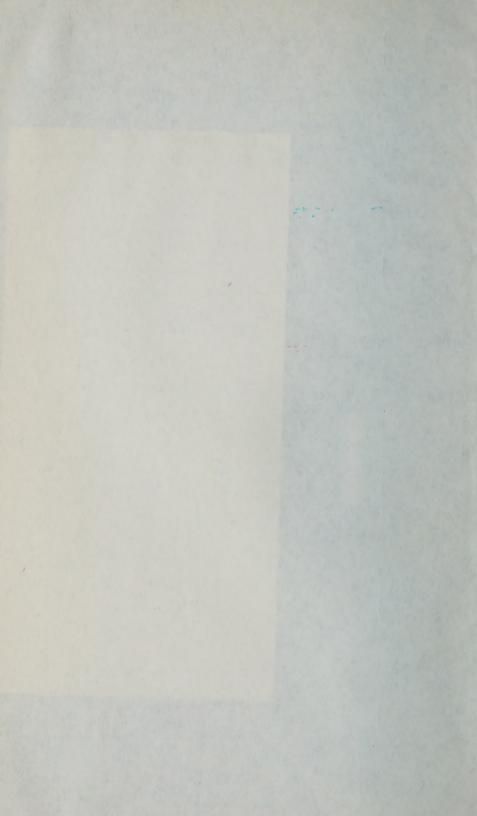
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convinced that there was no attempt to get any special consideration for Mr. Schine.

That is up to every member of the committee to decide after they

have gone into all of the facts thoroughly.

Senator Potter. I would like to make this further suggestion, Mr. Chairman, and I do not know whether it is necessary or not, but if for this particular hearing it is necessary to have outside counsel, I would suggest we consider counsel from the Department of Justice on a loan basis; and possibly, if investigators are needed, to secure a couple of investigators from the FBI. That is my suggestion. I am offering that, not as a motion, but as a suggestion to be discussed by the members.

Senator Mundr. The Chair hopes that we can proceed for a while on the basis of offering suggestions rather than having motions, until we get a consequence of original

we get around to get a consensus of opinion.

Senator McClellan. Let me get one thing clear, if I may, M

Chairman.

Joe, do I understand that for the purposes of this investigation whatever extent it may go, you are relinquishing the chair to Se Mundt as chairman to preside over all proceedings pertain this investigation and inquiry into these charges?

Senator McCarthy. That is correct; yes.

Senator McClellan. I thought that that was what you m

I wanted to be clear.

I assume, then, the purpose of this meeting of the comp have a discussion among all of the members, an open dissee if we can arrive at a committee program for the har unfortunate controversy.

Senator Mund. It is my thought—and I know nothing this than you do; I was not a candidate for this posit

hold---

Senator McClellan. We all know that. The duty devo

us sometimes.

Senator Mund. My thought was if we could this morniout an agreeable procedure for all of us as to how to approvery distasteful job, we would have made some real progress, it devote our discussions now to those ideas that would be worth

Senator McClellan. There are two things that I want to sum. Mr. Chairman. The first one is that I think this is of succeportance that it should be the responsibility of the full Common Government Operations. The subcommittee is an arm of full committee, and the only authority that this subcommittee has is that delegated to it by the full committee. I believe this is of that major importance that the full committee should conduct any hearings.

The second thing I want to suggest is that all testimony regarding this matter be taken in public hearings. I do not want, and I think it is of vital importance to this committee and to the Congress, any secret sessions or the taking of testimony in executive session.

The charges are out in the open, open to the public, and they have been made. It is not a case of preparing for an investigation, and the necessity for it has already been pointed up. I think that the public will probably react with a measure of suspicion if we start holding executive sessions to take testimony. I want to throw that

out, these two things, as a suggestion in the beginning of this conference.

Senator Potter. You would not even consider executive sessions in

the preliminary stage?

Senator McClellan. I would consider executive sessions at all times to discuss procedure and policy of the committee, and those things; but the taking of testimony, I believe all of it should now be

in the open.

Senator McCarthy. May I say that the procedure up until now, in all of the investigations, has been to hold executive hearings first, and then if the committee decides that the material is of such nature that it should be made public, public sessions are held. I do not have any particular feelings one way or the other in this case, but I just want to point out that we have in the past always first held executive essions.

Senator McClellan. May I say, Mr. Chairman of the full comtee, and permanent chairman of the subcommittee, I think that is true, and I think it is a good practice and generally should llowed in the ordinary procedures of trying to make a preliminvestigation to determine whether you should hold public rs or whether the witness should be called in public hearings. is already out in the open, and it is a national issue today, nk that you would be opening yourself or exposing yourself ly unjustified criticism if you do not take all of this testitout in public.

YMINGTON. I agree to that.

CCLELLAN. I may be mistaken, and I am not thinking

chinking in terms of the whole committee.

MUNDT. Is it not possible, John, that we might, as you is thing, come across some witnesses that we do not know are going to say, and perhaps we ought to have executive Adams is going to be a witness, and Cohn is going to be a and they can well testify in public. But as I have gone these reports, there are quite a few other names mentioned at may or may not become witnesses, and we might or might to have open hearings.

tor McClellan. We can inquire of these witnesses what their ony will be, just like you are going out to prepare a lawsuit, the will know what we will want to produce or not to produce. If you ever start taking testimony on this issue behind closed as, and a little part of it leaking out here and another part of teaking out there, you are going to bring this committee into dis-

repute before the bar of public opinion, in my judgment.

Senator Dirksen. Mr. Chairman, let me offer just a general observation. Of course, I try to be mindful, always, of the function and the purpose of the committee and the work that it has done in the past. It has done splendid work, and I think it has a very useful function that has to be carried on. Of course, when a controversy arises where you lose a substantial segment of public confidence, then the committee has to review its own procedures and review controversies, and ascertain what can be done to reestablish the credibility and the public confidence that is necessary in the case of any committee that has a useful and constructive function. So from that broad base, you start.

The very first question that recurs is this: In seeking to effectuate that purpose, shall we have a hearing on this matter, whether public or private, in the face of charges, supported and unsupported, that have been made and that have filled the air? And to what degree is it conductive toward reestablishing the committee in the complete good grace of the public?

Now, certain it is that if you have a public hearing of all of the matters that have been alleged and asserted one way or another, they are going to be ventilated in the press and on the radio and on television. Does it take us further from the mark, or does it bring

us back closer to what we seek to achieve?

To be sure, the statements that have been made from one end and from another have not been under oath. Certainly it has not been strange in the lexicon of the legislative branch of Government that that happens from time to time. I am not insensible of the fact that questions will be raised just like they were raised outside the door a moment ago, Would you leave the Army under a cloud and would you leave Mr. Cohn under a cloud?

Well, I can see that quite all right, but the question is: Do we constantly drift further from the mark in an atmosphere that is surcharged with a good deal of emotionalism, and find ourselves in a position where we forfeit more and more of the public confidence, so that

our usefulness will be very sadly impaired?

So I think the first problem is: Is this going to have any ventilation at all? Or are we simply going to say, "All right, everybody has had his say in public. Let us forget about it and start with a clean page."

Would a public hearing, or even a private hearing, accomplish anything in getting this thing back into focus and into proper perspective? I have grave doubts about it. I think by the time you got over the whole agenda of witnesses that might have to be heard, we would have to give several weeks to this business. When it was all through, we certainly would not have been pursuing the basic purposes and objectives of the committee. This is something in the nature of a digression that would have to be cleaned up. But we might be further away from the mark to which we ought to direct our attention. So that is the first question.

Then, of course, there are corollary questions. If we favor or if we decide that we just as well let the whole matter drop and get about the business to which a committee is assigned under the Senate rules, then what do we do about our rules of procedure, and what do we do

about our staff?

I think Joe will concur in this, that we did agree—and this is no secret out of school—we did agree in a conference, not a committee meeting, last Thursday that we would examine into this 34-page document that had been submitted, and that we would put the chief counsel under oath and see what the responses were, and then have the record ready for whatever use might be made of it. For reasons that do not have to be discussed now, the meeting did not eventuate. So the question is: Do we now, in view of television appearances by Mr. Cohn, and in view of the fact that the document itself has been published, I suppose, verbatim in many newspapers—do we now ventilate this whole matter once more under oath?

Now this I want to say off the record, if you don't mind.

Senator Mundt. I think we should—since I envision the fact that all of this record ultimately probably will be published, in line with what John has said about the intense public interest—I think we should keep in mind that this may by majority vote be published, and if anybody wants to speak off the record, the Chair will give him that right unless there is objection.

Senator McClellan. I have no objection if somebody wants to speak off the record, but I mean for the principal discussion in arriving at this, it should be on the record. I did not mean to just make it

rigid.

Senator Dirksen. If it is agreeable, let us take this off the record at this point.

(Discussion off the record.)

Senator Potter. Of course, we are confronted with this other possibility. It is my understanding that the Armed Services Committee will be holding hearings Thursday on the question of communism in the Army, and all I know is what I have read in the paper, that certain members of the committee have stated that if we do not do something, they will. So the very thing that you mentioned is involved.

I am wondering what position we would be put in if we do not act, and then allow the Armed Services Committee to pick it up. It would be most embarrassing for all of us on this committee for not assuming our responsibility.

Senator Dirksen. You are on the Armed Services Committee, are

you not?

Senator Symington. Yes, sir.

Senator Dirksen. It was my understanding from discussions with perhaps 1 or 2 members that there are pending before your committee 2 legislative proposals to deal with communism in the Army, and the

disposition of Communists and their assignment to duty.

Senator Symington. As I understand it, the committee hearing Thursday is not quite what the distinguished junior Senator from Michigan felt that it was. It is is an effort to find out if in the opinion of the Department of Defense they want some additional legislation incident to the problem of communism.

Senator Potter. I think that that is correct, yes. I stated it in

broad terms.

Senator Jackson. Broad enough so that it might get into this.

That is the way I thought of it.

Senator Potter. I think Senator Flanders said if we do not act, he is going to. And I think perhaps a couple on your side have said it. I am just wondering about what you stated about the ventilation of this—whether we could prevent it even if we do not act. That is, if some other committee would move in.

Senator Dirksen. It was not my understanding that the Armed Services Committee intended to go into the instant matter that is

before this committee at all.

Senator Jackson. I think Senator Flanders, who is a member of the committee, made some statement in which he said that the committee should go into it, and one other Senator—I think Senator Kefauver—mentioned it.

Senator Symington. I think it would be impossible not to have some questions asked in this matter as incident to the question of

legislation to help eliminate communism in the Department of Defense. I am certain that I know two Senators who would, one on each side of the aisle, who would want to ask questions incident to this.

Senator Potter. At this meeting Thursday?

Senator Symington. That is my understanding. I will be very frank, I would not want to be anything but candid in a matter of this importance, and I felt there were some questions that I would like to ask Mr. Wilson myself with respect to the position of the Department of the Army and its relationship recently to the Department of Defense, and vice versa, in this whole matter.

Senator Mundt. May the Chair inquire. Senator Saltonstall is chairman of the committee, and he told me riding over on the tramway yesterday, "I have invited the members of your subcommittee to attend these hearings," and I have received no other notice. Has anybody

received a notice?

Senator McCarthy. He told me that he had sent me a letter, and I have not seen it in the office. I think the only reason is that I have been so badly tied up I have not seen it. But Lev told me that he had sent a letter to me, inviting me as chairman, and all of the members of the subcommittee, to sit in Thursday. I explained to him I would not be here Thursday, and I would notify all of you, and I intended to do that. I understand that you will have the right to question witnesses, also. He did not make that completely clear, but I understood that to be part of the invitation.

Senator Munder. I did not know whether that was something that occurred to him when he rode over with me, or whether he had written

you.

Senator Symington. I have heard nothing of it at all as a member

of the committee. I have heard nothing about it.

Senator Mund. Apparently, then, he has written as chairman of that committee to the chairman of our committee, asking our chairman to extend this invitation to us.

Senator McCarthy. I will call the office and see if I can find that.

Senator Dirksen. I would like to get back to what is the primary question that is here, and that is the further public ventilation of this whole controversy. At the end of it, there could be only a couple of things. One would be to terminate the committee service of Roy Cohn, our counsel, and probably the other one would be to politely advise the Department of Defense that by the same token, perhaps the services of Mr. Adams ought to be terminated.

In my book—and this can go on the record—it certainly would not

require public ventilation to accomplish that result.

(Discussion off the record.)

Senator Potter. Of course, if the Senator will yield, I think that we are in this position: that this committee is an aggressive committee, and we call in witnesses, and we cite them for contempt and we cite them for perjury. Now here is a question that has come up, and it has been in the headlines for a week, and the public is confused with the charges and countercharges made on both sides. Obviously perjury has been committed by somebody, and I do not know who has committed it. I think we have no right to cite a man who is in the witness chair on another matter which the committee has investigated, and then when this comes up, which affects our own committee organ-

ization, to say, "Well, perjury may be committed, but we will sweep

it under the rug." I think that we would be criticized.

Senator McCarthy. For the record, you might want to correct what you said. You said "obviously perjury has been committed here." Neither Adams nor Cohn have been under oath, ever.

Senator Potter. As far as the public is concerned, statements have

been made, and they assume somebody is not telling the truth.

Senator McClellan. Will the Senator yield at that point? If the public statements that have been made on both sides are testified to under oath, then somebody will have committed perjury.

Senator Potter. That is right.

Senator McClellan. I do not know whether any of these statements are true, or which are true or which are not, and so help me, I haven't any fixed opinion about it. But it is before the public, and this committee cannot afford to do anything that would look like we are trying to hush it up or whitewash it.

You bring these folks in here, and you put them before the television, and you portray them and present them to millions of people when they are testifying, and they are subjected to that; and then we cite them for contempt because they refuse to answer questions.

Now you have it at the top level thrown open to the public, and I do not believe this committee can maintain its prestige and command public respect if it does less than to bring these principals and supporting evidence and supporting witnesses before the committee and let the public hear them testify, just like you do anybody else against whom accusations are made.

Senator Potter. By the same token, I believe it can be done quickly,

and I do not think it has to be a prolonged hearing.

Naturally, there are the two principals in the case, John Adams

and Roy Cohn.

Senator Symington. Will the Senator yield? I think there are more principals in it than that. Secretary Stevens is in it, and he is in it deep, and the feeling in the United States today is that the Secretary of the Army may have committed perjury. In addition to that, I am not sure I agree with this question of celerity of operation. This is a very serious matter. I spent a good many years in the Pentagon, and I believe that we would deal a disastrous blow to the morale of the Armed Forces if in any way anybody could get the idea that the members of this committee who have been, as Senator McClellan said, very prone to publicize its actions in the past, if the idea got out that there was some hush-up aspect in this thing. I would never feel right about it in my own heart, and I do not think my constituents would ever feel right about it in their hearts and heads in Missouri.

I believe, with Senator McClellan, that these charges are so grave, without any shadow of a doubt, they affect the future security of the United States, in my opinion, and I think the morale in the Army and the Air Force has been badly hurt. One general told me abroad that he had written his wife and asked that the name of his son be

withdrawn from application to West Point.

If you think that they give this situation publicity over here, you

ought to see what they were giving it over there.

Now the charges have been made, and the issues seem to be clear, and I completely agree with Senator McClellan that if this matter is

run down there will be perjury shown. I think that we ought to take every step in the world necessary, just like we had a trial in a courtroom, to be sure we do not indict or convict anybody for perjury with-

out first doing everything we can to get all of the facts.

Senator POTTER. My point is it can be done expeditiously and without being prolonged. I think it is very essential. I share Senator Dirksen's view, that the longer it goes on, the worse it is going to be, as far as the public impression of our committee is concerned, and the Army and other people that are involved.

Senator Munder. I don't think we ought to enter into this under the illusion that this can be done very quickly, and this is going to take some time. We might as well face up to that. Ten days or 2 weeks

is a minimum.

Senator Jackson. You must face up to the fact that you are going

to have a lot of witnesses once this starts.

Senator Munder. And you cannot do it Thursday and Friday and get it done, because we are just kidding ourselves.

Senator Jackson. And it has to take priority over everything else

to get action on it.

Senator Mundr. And we could move as rapidly as we can, but men of reputation have their veracity at stake and they are going to have some time to martial their facts and get their witnesses. It shouldn't be done with speed as the primary motive and the primary motive should be complete justice.

May I just put in the record at this point the letter from Saltonstall, because that came up a little earlier. I will read it. It is dated

March 11:

Hon. JOSEPH R. McCARTHY,

Chairman, Committee on Government Operations, Senate Office Building, Washington, D. C.

DEAR JOE: To confirm our recent conversation, I find it is not feasible to postpone the public hearing for next Thursday, March 18, on S. 3096 as it has been

publicly announced and the witnesses have made their commitments.

This particular meeting is to hear Secretary of Defense Wilson, Admiral Radford, Chairman of the Joint Chiefs of Staff, Honorable Robert T. Stevens, Secretary of the Army, and General Ridgway, Chief of Staff of the Army. They are to discuss the above bill and describe what steps they are taking administratively on the question of men now serving in the Armed Forces who may not be loyal or sympathetic with the purposes of the service in which they are enlisted, and any other remedial legislation which they believe is necessary.

As your Committee has given close attention to some of these problems, you, or any of its members, are welcome to attend this meeting. It will be helpful, in my opinion, if you can do so. Will you please notify the other members of

your Committee?

With kind personal regards,

Sincerely yours,

/s/ LEVERETT SALTONSTALL, Chairman.

Senator McClellan. Could I see the letter?

Senator Symington. I have never discussed this matter with Senator Saltonstall, but I think that he should discuss this matter with the Armed Services Committee before he decides how he is going to run this hearing and I would like to put on the record that I would like to discuss the matter with him.

That has come up several times in our committee.

Senator Mundt. That will be a determination that this committee cannot obviously make.

Senator Symington. I have heard practically nothing about the hearing, and I would not have been able to answer Charlie's point if I had not called up yesterday to check a statement I made which I was told was wrong, which was wrong. I would like to talk to the chairman of the Armed Services Committee about it, and other members in Armed Services and I think Senator Byrd and Senator Russell and Senator Johnson and Senator Kefauver and Senator Stennis, and find out what this hearing is all about.

I don't know what it is all about, and we never had any notice of it except what I have read in the paper. Strike that. I may have

had a record of the hearing.

Senator Dirksen. Did you submit this for the record?

Senator Mundt. Yes.

Senator Jackson. I merely wanted to make this statement, that I concur in the view that the hearings must be held in public. For the life of me I don't see on what basis it could be suggested that they be held in executive session because the charges are all out in public. I am fearful of the effect that it is going to have on the committee as Senator Potter pointed out, and I want to say that to the record.

Senator Dirksen. That is the concern I have, the usefulness of the committee in its future operations, and in the task to which it has set itself long ago. Do we serve that purpose best by having a public hearing, and ventilating the charges over a period of time, or do we serve the best interest by simply letting the grass grow over it

and taking some affirmative steps?

Senator Jackson. I think that there are grave consequences no matter which way you move. But I don't see how you can move away

from the public.

Senator Dirksen. Now, Mr. Chairman, I might add that four members of the committee have expressed themselves with respect to public hearings, and if that is the majority wish of the committee then the second question that arises is this, to make sure that it does not become a Donnybrook Fair and it is kept on sound and orthodox lines. There will have to be some exploration of the matter so that you will know who the witnesses are, and we will have to have some notion as to the thing on which they are going to testify, because if it becomes nothing more than a caterwauling and chopping contest between witnesses, it serves no purpose and it develops only a small kernel of truth and it leaves you right back where we are.

Senator Potter. Would you care to comment on my suggestion?

Senator Dirksen. I was going to remark that since we have established what is a rather standard technique prior to a public hearing of determining who the witnesses are going to be in a public hearing, and basically the thing on which they are going to testify so that we have a clear concept of it and move toward a definite objective, probably there ought to be a preliminary executive session in which the acting chairman calls them in or the committee calls them in so that we can explore this ground first.

Now that is the technique we have always pursued.

Senator POTTER. We could do that as part of our investigation, I would assume.

Senator Jackson. You are referring to the matter of procedure? Senator Potter. Yes.

Senator Dirksen. And with it, of course, I think the acting chairman should have the benefit of such counsel as he may desire to have at his elbow, because obviously since so many names run through the report, I don't believe that they ought to be tied down with committee counsel, and as a matter of fact it would be desirable, I think, to let him have somebody of his choice, to help him first get the executive session organized so that when you go out there in the caucus room, of course you are going to have a lot of people, and you know who goes on, and generally about what the testimony is going to be, so that it doesn't become irrelevant and immaterial to what the purpose is.

Senator Symington. Would the Senator yield? I think that the senior Senator from Michigan referred to a special counsel, and a special investigator. I agree with that, after the broadcast about this loyalty pledge. I think the public might feel that the case was somewhat prejudged if we used the present staff. We should get a special counsel, someone whom we all felt was right. I am not a lawyer, but I am asking for information. Wouldn't that type and character of matter be prepared by the counsel and submitted to the chairman of the committee and the rest of the committee for approval?

Senator Dirksen. You would want a capable person who can evaluate the substance of the whole thing, so that it has good direction, and so that there is no time lag, and so that every evidenciary fact is finally adduced, because if we are going to have a public hearing then of course you want to make your record as complete as possible, and as quickly as possible, and as sound as possible, with the least amount of gossip and conversation and fraud that would have no bearing upon the issue at all. I do not have in mind any such suggestions.

Senator Potter. I have no one in mind, but I thought as a possible

reservoir of lawyers of Department of Justice.

Senator Dirksen. You might borrow some talent for the occasion. Senator Mundr. May I mention since it has been in the paper, Senator McCarthy's suggestion that he turn the Chair over to me, several people have called up, lawyers, offering to make their services available to the committee free. I have been thinking a little bit about what kind of counsel we would get, because quite obviously if this committee is to do it, and I want to say something about that in a moment, if we are going to conduct this I think that we should conduct it with a staff chosen specifically for this purpose, and not in any way use the present staff.

Senator Jackson. For this limited purpose?
Senator Mundt. That is quite right, as a temporary proposition, thinking who could you then get. Frankly, it occurred to me we might be able to get a man like Bill Rogers who was on the committee staff under John McClellan. I discussed that a little bit and the Justice Department pointed out that this thing may possibly run into a perjury case, in which it becomes involved, and so they would not want to participate in the hearings now, which seemed to me to be a valid explanation.

I thought of Bob Morris, who did a very commendable job and he is now a judge. Somebody pointed out that Bob Morris at one time had been on the same committee with Joe, and of course that would

disqualify him.

I thought about-

Senator McCarthy. It was not on the same committee, but he was

a close friend of mine.

Senator Mund. Then I thought how would it be, if the committee felt it wise, if we would simply ask the American Bar Association to recommend some counsel and get their advice, and I think if we are going to have counsel, which we have got to have, it has got to be somebody of stature and somebody very important, and if you fellows on your side feel that you want 2 counsels, let us have them recommend 2 and I don't care about that. But it is very important, it seems to me, that this thing be done objectively, which leads me to make this suggestion to you fellows, and to get your reaction.

I have said, as you know, in the press, that I don't believe this committee is the proper forum before which to try these charges and countercharges. I base that on several reasons. In the first place, I think that when we have finally, or when the differences have finally been adjudicated, it is tremendously important in the public interest and in the interest of the armed services, and in the interest of the Senate and in the interest of this committee, that the ultimate result be one that the country will accept, or at least the fairminded people of this

country will accept.

I think that that is tremendously important that we don't come out with a report, if this committee makes it, which simply perpetuates the feud, and people will say, "Of course the committee did it that way, because they were prejudiced, or because of their connection with a member of the staff who was under investigation, or because the chairman of the committee was involved, and some of his statements, and they were trying to protect what he said, or vice versa, they were trying to spank the chairman of the committee or they were trying to

spank the Army."

I am afraid if this committee undertakes it—or at least I want to voice this for the record—I have a very sincere and honest conviction of my own that if we undertake the job and come up with a report, or recommendation, that we are going to find that whatever we decide is going to be suspect by whichever group happens to be displeased with the verdict. I base that in part on two facts that the Washington Post has been hammering away editorially for several days, on the theory that this is not the committee to make the findings. This morning somebody mailed to me a copy of the Daily News of New York, on March 16, which is an editorial, and from which I quote:

We will second the motion of Senator Karl E. Mundt that who is lying and in related disputes between Stevens and McCarthy be taken before some impartial group for an early decision. We can't see leaving the factfinding to the McCarthy group even with McCarthy stepping down from the chair as he has offered to do. The truth and nothing but the truth might well be discovered under such circumstances. But it would be suspect just the same. Better let another group handle the job.

Now I suspect the Washington News and Washington Post and Daily News haven't agreed on anything for 100 years but they are differing at this thing from 5 different portholes, and agreeing on the fact that this committee's verdict is suspect in advance and none of us, I am sure, around the table, know what our verdict is going to be. I honestly believe that there is some validity in the suggestion that we measure up to our responsibilities in this manner, by saying "We can recognize as John and Stuart and most of you have pointed

out that this is tremendously important, and the public has a right to know where the facts lie, and so we request some committee which is not in any way suspect of having learnings one way or the other, and which does not have its chairman or its staff involved, to make an impartial thoroughgoing objective report, and take the evidence under oath, and make the report that it makes simultaneously and in like language both to the Department of Defense and to this committee, and our committee then takes those sworn facts and acts on the basis of them, to take whatever corrective steps need or seem indicated."

The Department of Defense takes its report, and I am sure will take whatever corrective steps seems to be indicated to it, and I think the country would be better satisfied, and I think the public interest should be better satisfied, and with these two papers, and many smaller papers of like mind, already saying, "If our committee undertakes it, whatever you find, it is not going to be satisfactory." I don't see how we have accomplished very much by all of the hard work

which we are about to understake.

Senator Dirksen. I must very respectfully and thoroughly disagree with you, and with the editorial opinion that you just cited. In the first place what a dismal confession it would be to the country that seven members of the United States Senate who are confronted with a problem, have to throw it in the lap of other Senators who have only equal prerogatives on committees and in the United States Senate. I would never make that confession under any circumstances. I think that there is enough talent, and there is enough flexibility, and there is enough sportsmanship, and there is enough fairness in every Senator to be able to discharge his responsibility. It was of our contriving, one way or the other, and there would be no need to point the finger at anyone, or any group. It is a condition, and it is not a theory, and it is here. It is our job to deal with it. Other members of the United States Senate are busy, but if you ever set the precedent that when a controversy arose in a committee that it had to be adjudicated and tried by another committee I shudder to think of what the ultimate consequence might be.

Senator Munder. Will the Senator yield? This isn't exactly what you could call a controversy arising within the committee, and I don't think that we have any particular fight among ourselves. This is a controversy between a staff member of the committee, and perhaps the chairman of the committee, and Mr. Adams and Mr. Stevens and perhaps some other in the Army. It is not something that was testified here, and I cited the precedent that judges quite frequently even in the Supreme Court step aside when they feel that they are taking part in a case which might tend to indicate to the public that they are prejudiced, not because the judge doesn't feel he can be fair but he wants the verdict to be accepted as fair by the public, and I do not think the judge that does that is any less responsible to his duties and any less honest, and important and dignified than if he had taken part

in the case.

Senator Dirksen. The second reason for the viewpoint I expressed is that this is not a judicial proceeding, and this is a legislative body, and this is a legislative problem. The problem originated and it had its incubation in the operations of the committee and its relationships

with the Department of the Army. Consequently, this is a legislative matter, and not a judicial. We need not look at it judicially, because it is a matter of inquiry.

(Discussion off the record.)

Senator McCarthy. Let me make a suggestion pending your decision on that. Here is what I would like to see done. There are some completely reliable witnesses in this case, separate and apart from Adams, Cohn, and Stevens, and McCarthy. During the hearings when things were very friendly, and this is on the record, Bob Stevens—

Senator Mundt. If you put this on the record, we might decide

to vote to release this to the press.

Senator McCarthy. I will leave it off the record.

(Discussion off the record.)

Senator Symington. Going back to the proposition of having the hearing before another committee, I would like to completely associate myself with the objection, the first objection made by the distinguished junior Senator from Illinois. Even as late as vesterday morning, I felt there was merit in the suggestion which I believe I read in the paper that you had made, Mr. Chairman, but first I understand there is no Senate precedent of any kind whatever of a committee voluntarily transferring its obligations. That was told me by people who had been in the Senate as long as anybody. Second, I think the public would get the wrong impression of our doing it, and third, I would be the only person on both subcommittees. This is purely a personal angle, and I think of the experience of some of my colleagues like Senator McClellan, and also Senator McCarthy. They all know this subject, and you would save a great deal of time. If you want to do this thing with the celerity that Senator Potter mentioned, you would not put it as a fresh new problem to a committee that has not followed it like naturally we have.

Now, I have just found out about this Armed Services meeting, and I received no notice of it, let alone the suggestion that the chairman of it has made to the chairman of our full committee. It is a good illustration of why I prefer to see it stay in this committee, in my humble opinion, because I do not think it is proper for the chairman of a committee in a matter of this character to announce things to the press and send letters around that do not go to other members of the committee. The basic purpose of the Armed Services Committee, I am told, after investigating, is to look into a bill, S. 3096, which would attempt to eliminate in the future the procedure in the handling of this dentist major, as I understand it from what has been told to me.

Senator Dirksen. Mr. Chairman, I think to round out the statement made by Senator Symington, I have grave doubts just as a theoretical speculation for a moment, that you could confer upon any other committee of the Senate jurisdiction to undertake this job, without introducing a resolution, and having it considered on the Senate floor. Then, you would have a field day and it would run for quite a while before you get through.

Senator Mundt. I was not suggesting we do it by resolution unless it was decided to set up a special committee to do the job, and I was going to suggest a letter from this committee to request them, which

they might or may not accept.

Senator Potter. Right on this point, I think that the objections that you have raised, Karl, concerning this committee handling this investigation, will be eliminated if we get outside counsel, and outside personnel to handle whatever investigation might be needed, or any counsel that would be needed.

Senator MUNDT. The present chairman would insist upon that as a minimum, and I do not think it is going to entirely erase the ob-

jections, but it will alleviate the situation somewhat.

Senator McCarthy. There are a number of what I consider very reliable witnesses outside of those involved, and as I started to say during the period of cooperation when the Army apparently was working with us, Bob Stevens used to come to New York for a number of the hearings. I want this on the record. We would go over to his club, the Mercantile Club, for lunch. We generally had 2 or 3 individuals along, guests picked up on the way. We had some very reputable newsmen.

I would like to see Senator Mundt with sufficient counsel make a thorough investigation of this, and report to us, and then decide what we will do, and then decide whether you are going to hear it. I think it will be impossible to make a decision until Senator Mundt gives us a complete report after he listens to all of the stories involved.

Senator Dirksen. Mr. Chairman, I will submit a proposal to the committee, but if you will bear with me 1 minute, to read the rest

of this into the record.

The second point was, and you see this was conditioned upon the fact that if there was going to be no open hearing, that we would have to do something about our rules of procedure.

Senator McClellan. Will you yield? May I suggest that it will be better for me that we refrain from questioning you now until you

read all of them, and then we will have them.

Senator Dirksen. Resolved that the rule respecting a quorum in subcommittee be amended to read as follows:

For the purpose of taking sworn testimony by a subcommittee, two members of the subcommittee shall constitute a quorum.

The rule is one now.

Next:

Resolved, That the rules of procedure of the Permanent Subcommittee on Investigations be amended by adding at the end thereof the following new section: No. 11. "Notice of a hearing at which a witness will testify under oath or subpena must be given to each member of the subcommittee at least 48 hours prior to the hearing, if held in District of Columbia, and at least 72 hours if held away from the District of Columbia.

And, finally:

Resolved, That rule 6, of the procedures of the Permanent Subcommittee be amended to read as follows: "All testimony taken in executive session and all confidential material presented to the committee, shall be kept secret and not released in whole or in part or in summarized form without the approval of a majority of the subcommittee."

The rule today is that it relates only to testimony but not to confidential material that may have been submitted to the committee. Other suggestions may occur to other members, but I do believe that we must improve our rules of procedure, to go back to this basic purpose.

Senator Mund. May I inquire whether in this list of rules, you included the one that when I was called in by the policy committee, when they were offering their suggested rules to all subcommitteemen, to listen to some of the suggestions they made, they had nothing there dealing with out-of-town hearings, and I said that I thought it would be helpful to all members of the committee if we would adopt an amendment to the rules stating that before any out-of-town hearings were held there should be an affirmative vote of the committee on out-of-town hearings, so that we can try to adjust our schedules if possible to attend them. I think that that should be added.

Senator Dirksen. This is an incomplete effort, of course, but I

wanted to make it a matter of record.

Senator Mundt. We have more immediate problems before us. Senator Dirksen. I wonder if you are ready for a specific proposal. Senator Mundt. May the Chair inquire, we have not taken any votes at this time, whether the other members of the committee share the adverse opinion to my suggestion that we try to get this into an

outside committee.

Senator McClellan. I will state my position, Mr. Chairman, that I do not believe this committee can afford to. You talk about the prestige of it, and the confidence of the people, I think it is our baby, and it is our linen, and we have got to wash it, and I favor washing it in public, and not in secret, because it just will not do, in my opinion, for this committee to take either the position of shirking a responsbility, or be in the position of not meeting it before the public where the charges have been made.

Senator Potter. It is an admission that we are not responsible

Members of the Senate.

Senator McClellan. I want to qualify it to this extent only. I think possibly the Armed Services Committee, and I would say no other, but the Armed Service Committee, would have jurisdiction to investigate, and probably a responsibility if this committee does not do the job, in relation to the military aspects of it. I do not deny them their jurisdiction but I do not believe we can shirk the responsibility that is ours.

Senator Symington. I agree to that without any reservations. That

is my position about it.

Senator Mundr. You are very clear that the majority of the committee feel that this committee should undertake it.

Senator McClellan. To make certain, I make a motion that this

committee investigate the whole matter.

Senator Symington. Are you talking about the subcommittee or the

full committee?

Senator McClellan. I really believe, and we can discuss that a moment if you want to, that my own views, and I am not going to be terribly contentious about it, but my own view is that you will add some measure of prestige and respect and confidence since this is a subcommittee, and since the authority and the power under the rules is delegated to the full committee, that the full committee make the investigation. That is my humble opinion, and I am, as I say, not being contentious about it.

Senator Potter. I would think it would be much better for our sub-

committee to handle this problem.

Senator McClellan. As I say, I am just talking out loud.

Senator Potter. I do not think that it matters whether we turn it over to the full committee or some other committee. It still is a reflection upon whether the subcommittee has the ability or has the desire to bring out all the facts in the case, itself and—

Senator Jackson. You broaden the base of the participants.

Senator Potter. You bring in people who are not familiar with the work of this committee, the same as you would if you sent it to another standing committee.

Senator Jackson. Would that not add to the prestige, the fact that

you did bring in the other people?

Senator Dirksen. I doubt it very much, but I think we are in the same fix there in turning it over to the full committee that we would be if we turned it over to a wholly separate committe.

Senator McClellan. I do not agree with you, because this is a full

committee responsibility.

Senator Dirksen. Except, the other subcommittee has not participated in what we have done, or that has brought about this condition.

Senator Jackson. Some of us were not on the committee when all of this happened. So it is a little mixed up.

Senator Dirksen. There you have guilt by association.

Senator McClellan. In order to make the record if you are ready for a motion, I move you that the full Committee on Government Operations make a thorough and complete investigation of this controversy and issue involving members of the staff of this committee and the Department of the Army.

Senator Potter. I wish to offer an amendment to the motion by the

Senator

Senator Dirksen. Before you do, let me ask you a question: Are we in a position, John, to entertain a motion like that. Could we do anything other than recommend to a meeting of the full committee?

Senator McClellan. I think that you are right.

Senator Dirksen. We could do no more than make a recommendation, but if we make a recommendation, and if we have to wait for a meeting of the full committee, I am just thinking of all of the noise

outdoors, and another day's delay.

Senator McClellan. I think that you may be right, and my whole purpose is simply to give this thing prestige. We have got to do the job as I see it, and to give it all of the prestige that is possible, that we were not just trying to whitewash the thing ourselves, and after all the members of the full committee have a responsibility for this committee.

Senator Symington. That is right. Couldn't the members of the

full committee demand that they be in this hearing?

Senator Dirksen. Procedurally, though, Joe will be gone tomorrow, and I will be gone tomorrow, although I am willing to throw it overboard if it serves any purpose. Certainly, we would not want to take any action unless the chairman of the standing committee is here, and if Joe is gone the rest of the week and we had to defer a full committee meeting until that time, you have got just that much time that is lost before we get this thing ventilated. Consequently, I think that it would serve the interest of time so much better if we left this in the bosom of the subcommittee.

Senator Porter. I would like to make this motion.

Senator McClellan. I will withhold my motion for a moment, for further discussion, and I have no ulterior motive in it at all.

Senator Dirksen. I am sure of that, and I understand.

Senator McClellan. I am trying to do this job in the best manner

possible.

Senator McCarthy. Before you move, may I urge that all of you find out all of the evidence that is available and know exactly what is going to occur, before you decide how you are going to go. I think the way to do that would be to have Bob Kennedy work with Karl and report to the minority, and interview all of the witnesses, and I think that Stuart Symington should know exactly what is the testimony on Bob Stevens before he decides whether or not this should be aired.

I think that Karl Mundt can do that, probably Monday.

Senator Potter. My motion won't interfere with that at all. I wish to move that we empower the chairman to secure outside counsel, and

what other aid we may need for this investigation.

Senator Symington. If the Chair would entertain this thought, that we have a very good counsel who knows a lot about this situation in Bob Kennedy, and I personally believe that this matter is of such grave import to the people of this country that we should have a special counsel or somebody who has never had any relationship with these various investigations, and so forth. Perhaps the majority members of the committee would appoint somebody to work with him, and we in turn would appoint, I presume, because he certainly has our confidence, Bob Kennedy to work with him, also.

Senator Mund. The Chair will say he is perfectly agreeable to the idea that the minority if it desires, should appoint a counsel, but he would resist that that counsel be Bob Kennedy on the same basis he resists using any of the other present staff members, because looking down the corridor after the decision is made I think it would impair Bob's usefulness and his relationship with the staff that remains.

I don't think we should put him in that position. I seriously urge that if you select somebody, which I am happy to have you do, select

him from outside the staff.

Senator Symington. May I ask the Chair, would that mean that he would not want Bob Kennedy to assist the special counsel, for example?

Senator Mund. I really think we should keep the present staff out

of this thing altogether.

Senator Symington. Including Mr. Kennedy?

Senator Mundt. Yes.

You can see what Bob's position is. Suppose they find evidence of misbehavior on the part of 2 or 3 of the staff members, all of whom have their loyalties to each other and he is going to continue to serve as your minority counsel.

Senator Symington. We picked him very carefully, because we felt that the chairman would like him, and because he had him working for him before, and he was not asked to sign this loyalty pledge to

Roy Cohn, and he knows a great deal about the subject.

What I would like to do would be to see the truth gotten out to the people about what this is all about. I should think he would be of great assistance in getting the truth out. I wouldn't suggest that he be

the counsel and we have never discussed this in the minority group but it would seem to me he could be of great help to whomever the special counsel would be.

I believe he has the confidence of the majority as well as the minority, and if anybody feels that he has not, now would be the time

to get that out on the table.

Senator Mund. I am thinking about his position on this committee after this ruckus is over. I would like to see him continue to serve, and I would hate to see him get involved in an embroglio of which he has no part. It seems to me if we are going to get counsel and I wish if Charlie is to make his amendment, that he would make his motion that the Chair in conjunction with the ranking minority member will secure counsel, but I would hate to see this thing setting up a permanent feud in our staff.

Senator Potter. I will so amend it.

Senator Symington. If you feel that way about Mr. Kennedy, I would be entirely agreeable, and I am only speaking for myself, that you and Senator McClellan decide who the counsel will be. But I most respectfully urge that he be somebody who has never had any connection with this type and character of investigation, of any kind in a Republican administration or Democratic administration, or as a minority counsel, or any relationship at all, and that we pick somebody to whom the American people, or as a result of which the American people would feel that we were really trying to get a top man of character to get at the facts in this case on both sides.

Senator Mundt. I agree 100 percent.

Senator Dirksen. Let me make this specific proposal, then: I move that the temporary chairman be authorized and directed to proceed forthwith with an exploration of all of the facts and circumstances involved in the controversy that has been before us for discussion, and prepare the matter for presentation first to an executive meeting of the committee to be held at the earliest possible date, and subsequently to a public meeting, the chairman to be assisted by counsel who shall not have been associated at any time with the work of the committee, one of whom shall be selected by the chairman, and the second to be suggested by the ranking minority member of the committee, and that the matter be prosecuted with all vigor for presentation. I want to add to put it all in one motion—

Senator Mundt. And whatever staff is necessary.

Senator McCarthy. I think we are going to have a public session. I have been accused of interfering for Private Schine. I want the evidence on that in a public session. However, I think that the Senators should have a full and complete picture before we decide how it will be handled.

Now, at this time I can't see that we have any choice but ultimately having a public session, but we are all sitting here and a lot of us are sitting here in the dark as to what the facts are and I am not going to try and tell you ahead of time what they are. I think that that is up to your acting chairman, with competent counsel to interview every witness who can shed some light on this, and who has been present at any of the arguments or telephone conversations.

Then after you have that complete report, then I think that we

should decide what we want to do with it.

Senator Symington. I think that he should set up how he is going to do it, but I don't think that he should have private discussion about the thing with the various witnesses and all, and build a case. I think

the case now has to be built before the American people.

Senator Moclellan. Let me make my position clear before we proceed any further. I don't think that this committee can afford to recess here this afternoon, and now, without having taken a position one way or the other, that is, that it is going to hold public hearings on this thing. I think that that should be determined. Then the motion made by Senator Dirksen is proper, that we proceed to get a staff, and that the chairman or acting chairman then make a full report of the preliminary investigation as to what witnesses may be available, after you have got a staff to investigate it, and then the committee will be called in to executive session to determine the procedure with respect to the public hearings.

I do not believe it is wise with this clamor before the public today to walk out of this meeting without having determined and announced that we are going to hold a public hearing in this controvery and all

of it will be public.

That is my feeling about it.

Senator Mundt. Will you yield? Would there be any merit—and I quite agree that this has got to be gotten to the public—but I wonder if there would be any merit in considering the procedure used in the MacArthur hearings, and I think that you were active in that.

Here is the way they were conducted: They were conducted in the Caucus Room by the members of the committe, and every hour they gave out the full text to the press. In other words, that gets away from your motion-picture cameras, and the TV, and things of that kind. The TV is all right, but the motion-picture cameras on occasion just shoot a little sketch, and they don't get the full picture, and this is something where the country should have the full picture and get the full text, and no expurgations. I thought it was a rather dignified hearing, and I don't like to see this thing get to be a public brawl. I just toss that out as a suggestion.

Senator McClellan. We can determine whether we are going to

hold this in public.

Senator Potter. That would be considered as a public hearing. Senator McClellan. That is a part of a public hearing, but the first thing to determine is what this committee should determine this

morning.

Joe says it is ultimately going there, and I don't think you serve any useful purpose by starting executive hearings, and so forth, and it only arouses suspicion and speculation. I think that the thing to do, gentlemen, is just go ahead.

Senator McCarthy. I think that you may be right there.

Senator McClellan. I want to make this statement in view of what the Chairman and Senator McCarthy have said about the Army. I am not here, brother, to defend the Army. If they have dirty linen in this thing, or anything else, that goes to the morale of the Army, God knows we had better clean it up now.

Senator Symington. That is what I think.

Senator Dirksen. Shall we agree now unanimously that there shall be a public hearing? It is far better that the committee is not divided on that matter.

Senator McClellan. I do think so. If you will permit me, I will make the motion and there will be no question about it.

Senator McCarthy. I think that John is right.

Senator McClellan. If you will withhold your motion for the moment, I move you, Mr. Chairman, that this committee hold public hearings on the controversy that we have been discussing involving the Department of the Army, the Secretary of the Army, chief counsel of the Army, the Chairman of the committee and the chief counsel of the committee and other members of the staff who may be involved, and that all testimony taken be in public hearings, all sworn testimony, and not any taken in executive session, and that we proceed with this matter as expeditiously as possible, and to the exclusion of the undertaking to transact any other public hearings or business of the committee until this matter is disposed of.

Senator Mundt. May I ask you a question as to your interpretation

of the resolution?

Senator McCarthy. May I suggest you amend that to cover every-

one involved?

Senator McClellan. All right, I will amend that. I was trying to mention them specifically, but I will add that to include any others that may be involved or that the testimony we develop may show are involved.

Senator MUNDT. Will you change that to this extent, that all testimony taken in public, and will you say that all testimony be made public? I think we may want to send some people down to take some depositions from these people under oath, some of the folks that are in these camps, and we can make it all public.

Senator McClellan. There is no objection to having a deposition

but it should be read in a public hearing.

Senator Mund. You said taken in public, and that pretty well cramps the efforts of the investigator, but all testimony to be made public.

Senator Jackson. We agree to the handling of depositions, let the

record show that.

Senator Potter. There may be a question there.

Senator McClellan. I am not much inclined to taking depositions

unless a witness is incapacitated from attending.

Senator Mund. You may save a lot of expense, and you may find some one who will say "I wasn't there at all, and I am a wrong guy."

Senator McCarthy. I don't think that you should bar the Chair from calling in witnesses in executive session and finding out whether or not they have anything of value. It is the usual procedure.

Senator Mundt. We don't want any more characters than are nec-

essarv in this.

Senator McClellan. I will amend it to this extent, then, that no testimony be taken in executive hearings except by a majority vote of the subcommittee. That gives us control of it. Is that all right?

Senator MUNDT. That is perfectly all right.

Senator McCarthy. Will you amend it, also—you said "and investigation of the Chairman of the Committee."

Senator McClellan. I will strike that.

I was trying to make myself completely clear.

Senator Mund. Suppose for the sake of clarity now, we will strike the whole thing, and remake it, so that we have got it before us.

Senator Potter. Senator Dirksen had a motion pending. Senator Dirksen. This would be a preliminary motion.

Senator MUNDT. The Chair will yield and Everett yielded to John.

(Discussion off the record.)

Senator Dirksen. I want to make a motion with respect to the record, when we get around to that.

Senator McClellan. I think my motion is clearly stated there. I

will undertake to restate it.

I move, Mr. Chairman, that this committee proceed to investigate the controversy that has arisen with respect to charges of misconduct made against members of the staff of this committee and the countercharges of misconduct made against certain individuals in the Department of the Army, and all others who may be involved in such charges or countercharges, and that these hearings proceed as expeditiously as possible to the exclusion of other committee business, and that all testimony be taken at public hearings, save and except that a majority of the committee determine that testimony in a given instance may be taken in executive session.

Is there any modification of that?

Senator Mund. May I ask for an interpretion? Does that preclude or would that include the suggestion I made if we should decide to do

it as the MacArthur hearing was held?

Senator McClellan. That will come up later. That is a matter of procedure that will come up later. You had the MacArthur hearing, and it was public, but they determined about releasing the testimony, about whether you had television, and so forth, and that is something to be determined later.

Senator Mundt. I wanted to have that clear.

Senator McClellan. That is still open, and I did not include that.

Senator MUNDT. Are you ready for the vote?

Senator Potter. Second the motion. Senator Munder. Are you ready to vote?

(Whereupon, the motion was read by the reporter.)

Senator Symington. I don't like that testimony in executive session.

Senator McClellan. Only by a majority.

Senator Symington. I do not think we should leave any loophole to make people feel that we are going to take some testimony, possibly, in executive session. I am not a lawyer, but I am just looking at this now from the standpoint of the reaction of the public. If there was some way you could change that language.

Senator McClellan. You could add to that this one qualifying thing, and personally I cannot anticipate now that anything is going to come up where I would feel that it ought to be done in executive

session.

Senator Symington. Therefore, why make it look as if you might?

Senator McClellan. You have a point there.

I do think it ought to be qualified to say that all testimony, whether taken in executive or public session should be made public.

Senator Symington. Within what period of time?

Senator Mundt. At the time we make our findings, at least.

Senator McClellan. I think it all ought to be public just as you take it.

Senator Potter. How did you state that, that all testimony will be taken in public session except by a majority vote?

Senator McClellan. Save and except by a majority vote of the

subcommittee.

Senator Symington. I don't like that modifying clause, and I think that you ought to say that all testimony will be taken in public session—period.

Senator Potter. I have no objection. It all depends upon what

you mean by "executive session."

Senator Mundt. There might be a possibility of doing it in as dig-

nified manner as the MacArthur hearings were done.

Senator McClellan. I think this: that by conferring about it in executive sessions, we will determine we either want the testimony or we do not want it, and I mean what a witness is supposed to testify to. You can take statements and it does not keep your staff from taking a statement, and let them give you a written statement just like you go out to investigate to prepare a lawsuit, and you determine that you want to use that testimony if it is relevant and pertinent and determine all of that in an executive session.

Senator Mund. Don't you bind yourself, John, by that motion, so that you bring in some people and if counsel and all of us hear it in executive session and we conclude that he is a crackpot and it is just a bunch of wild charges, and by your own motion you have to make it

public and you have smeared a lot of new people.

Senator Dirksen. You could say all sworn testimony, and it does

not tie the Chairman's hands.

Senator McClellan. In order to try to get this thing unanimous, I will strike that part of the motion, "save and except," and of course the committee can always determine any time it can revise its procedure by unanimous vote. I think we may strike that part of it.

Senator Dirksen. And insert "sworn testimony." You cannot tie the Chairman's hands, because he has got to set it up so this thing does not dribble along for 3 or 4 weeks. There has to be some discretion.

Senator Symington. I think a statement is not testimony, but then we will say "sworn testimony." I am ready for the vote on it.

You don't specify anybody on this side of the problem, and why not change it and say against the Department of the Army, instead of singling out Stevens and Adams.

Senator McClellan. Strike out "Stevens and Adams."

Senator Mundt. Would you divide that motion into two parts? I

am perfectly in accord with the procedure.

Senator McClellan. First we will put the question. Do you favor this committee making the investigation? We will call the roll on that.

Senator McCarthy. In listening to the reading of that, you say the charges made against the staff of the committee, and I think it should be tightened up, and the charges made against the Department of the Army.

(Whereupon, the reporter read the motion as amended.)

Senator Dirksen. I move that the committee proceed to investigate the controversy which has arisen with respect to the charges and

countercharges of misconduct which have arisen with respect to the staff of the committee and the Department of the Army, and all matters and persons pertinent thereto, and to hold public hearings thereon as expeditiously as possible.

Senator Symington. I like that better.

Senator Jackson. But there are two parts to this other one.

Senator Mundr. Let us take the first one. Are you ready for the roll call?

Senator McCarthy?

Senator McCarthy. Aye.

Senator Mundt. Senator McClellan?

Senator McClellan. Aye.

Senator Mundt. Senator Jackson?

Senator Jackson. Aye.

Senator Mundt. Senator Symington?

Senator Symington. Aye.

Senator Mundt. Senator Dirksen?

Senator Dirksen. Aye.

Senator Mundt. Senator Potter?

Senator Potter. Aye. Senator Mundt. Present. I vote "present" only because I do not believe that this is the proper committee to conduct the investigation, and I am in thorough accord with the rest of the resolution.

Senator McClellan. I move the second part of my motion, and ask

the stenographer to read it.

(The motion was read by the reporter.)

Senator McCarthy. I move that all hearings be public, and that no testimony be taken in executive session, unless by majority vote of the subcommittee, and that then such testimony shall be made public.

Senator Symington. Why isn't it better to say "all sworn testimony

should be in public hearings"?

Senator McCarthy. I move that all sworn testimony be taken in

public session.

Senator McClellan. That is the same motion I made. I had included in mine that we would proceed with this investigation to the exclusion of all other business of the committee, because I think that this must be settled.

Senator McCarthy. I will accept that. I assume that that does

not mean the staff must quit working.

Senator MUNDT. Is that a second to the motion?

Senator McCarthy. I will accept the amendment of Senator McClellan.

Senator Symington. Could we read it, if it is seconded? In any case can we hear it?

(The reporter then read the motion as amended.)

Senator McCarthy. I move that all sworn testimony be taken at public session.

Senator McClellan. Second.

Senator Mundt. All those in favor say "aye"; contrary "no."

is unanimously carried.

Senator McClellan. Now, Mr. Chairman, I move that the committee proceed to this investigation and such public hearings thereon as determined by the committee, to the exclusion of hearings on any other matter.

(Discussion off the record.)

Senator McClellan. Mr. Chairman, I move that the committee proceed to the holding of public hearings on this controversy as now ordered by the committee, to the exclusion of all other hearings.

Senator MUNDT. Do you understand the motion?

Is there any objection? Opposed, no. Let the record show it passed unanimously.

Senator McCarthy. I would like to make a motion that the Chair, and this is the motion that has been made in part before, that the temporary chairman be empowered to hire such counsel and staff as he deems necessary in this investigation, that he will consult with the ranking minority member and hire any such staff members as agreeable to both him and the ranking minority member.

Senator Symington. I think that you ought to say that it be done subject to the majority of the committee. In other words, the chairman will handle it, but I think whoever the chairman employs as a counsel or as investigators should be subject to approval of the ma-

jority of the committee.

Senator Mund. I would get together and nominate some people to bring it back to you.

Senator Jackson. The existing rules should apply.

Senator McCarthy. Now, if you are going to suggest that the majority of the committee must approve it, I will be out of town and I think that—

Senator McClellan. I don't think we can get up a staff that quick,

and we can proceed.

Senator Symington. A majority is a majority. We three aren't going out of town and Everett isn't going out of town.

Senator McClellan. Subject to the rules of the committee.

Are we to understand now that the minority is to employ a counsel to represent it or do we want to proceed with one counsel and one group of investigators?

Senator Munder. I would much rather settle for the basis that we don't employ anybody who isn't acceptable to all members of the

committee.

Senator McClellan. I am agreeable with that. Then if you will make this other statement that counsel and all staff members employed are to serve all members of the committee alike, I accept it.

Senator MUNDT. That is quite all right.

Senator McClellan. Then it belongs to all of us.

Senator Mund. They shall be selected apart from any of the present employees of the committee.

Senator Symington. I don't think anybody would object under

these circumstances.

Senator Mund. It will get confidence in the proceeding.

Senator Symington. You could add no one who had any connection

with the Hill.

Senator McCarthy. Let me suggest something. I don't think that we should create the impression we are afraid of ourselves. If Karl hires someone, and he is acceptable to the minority and acceptable to us, why make it sound as though we mistrust what the chairman is

going to do? Also, you may decide that in typographical work and that sort of thing rather than to hire a new stenographer you may use

someone down there on this staff to type things out.

Let me make this motion. I move that the temporary chairman be empowered to employ such counsel and staff as he deems necessary in this investigation, and that such counsel and staff members be employed subject to the standing rules of the subcommittee, and that the counsel and staff so employed shall be acceptable to and responsible to the minority members of the committee as well as the majority.

Senator McClellan. That is sufficient.

Senator Mund. Will you read the motion now? (The motion was then read by the reporter.)

Senator Mundr. You have heard the motion. Is there any objec-

tion? If not, it is carried unanimously.

Senator McClellan. I move you, then, Mr. Chairman, that this committee adjourn until next Tuesday morning at 10:30, at which time a progress report will be made with respect to obtaining counsel and staff for the investigation.

Senator Mundt. You have all heard the motion. Is there any discussion? All in favor say 'aye"; contrary "no." It is carried

unanimously

(Whereupon the committee adjourned at 12:45 p.m.)

SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

THURSDAY, APRIL 22, 1954

United States Senate,
Special Subcommittee on Investigations of
the Committee on Government Operations,
Washington, D. C.

The subcommittee met at 10:30 a.m., pursuant to call, in the caucus room of the Senate Office Building, Senator Karl E. Mundt, presiding. Present: Senator Karl E. Mundt, Republican, South Dakota; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; and James D. St. Clair, special counsel for the Army.

PROCEEDINGS

Senator Mundt. The hearings will now come to order.

It is customary in hearings of this type for the chairman and the ranking member of the committee to make preliminary statements. At this time the Chair will read a brief statement outlining the purposes and procedures and the policies of these hearings.

May I ask the doorman to keep the doors closed from now on except if special guests here from Congress desire to be admitted. We will have to maintain a maximum degree of order with a crowd as large as this, in order that everybody can be fully apprised of everything

that is going on.

This Permanent Subcommittee on Investigations of the United States Senate, being a subcommittee of the Senate Committee on Government Operations, has now convened in open session for the purpose of investigating charges heretofore made by Secretary of the Army, Robert T. Stevens, and his counsel, John G. Adams, and formalized in a document dated April 13, 1954, and filed with this subcommittee, and in which a general charge is made that Senator Joseph R. McCarthy as chairman of the Permanent Subcommittee on Investigations, United States Senate, its chief counsel, Roy M. Cohn, as well as other members of its staff, sought by improper means to obtain preferential treatment for one Pvt. G. David Schine, United States Army, formerly a consultant for this subcommittee, and in which numerous specific allegations are made in support of that general

charge.

It is the further purpose of this subcommittee to investigate countercharges made by Senator McCarthy, Mr. Cohn, and other members of their staff against Mr. Stevens, Mr. Adams, and Mr. Hensel, the latter of whom, as a result of these countercharges, has been advised by the subcommittee he is considered a party to this controversy with the full rights and prerogatives provided for each participant by our special rules of procedure. These countercharges were formalized in a statement signed and filed with the subcommittee under date of April 10, 1954, in which they generally allege that Mr. Stevens, Mr. Adams, and Mr. Hensel attempted to discredit what is generally referred to as the McCarthy Investigating Committee and to force a discontinuance of further attempts by that committee to expose Communist infiltration in the Army, and in which it is further charged that Mr. Stevens and Mr. Adams made constant attempts to trade off preferential treatment for Private Schine as an inducement to the subcommittee to halt its exposition of the mishandling of Communist infiltration in the military. Specific allegations are made in support of these general charges.

These charges, as well as their implications, are of such a grave and serious nature as to have caused great concern on the part of this subcommittee as well as on the part of the American people. It is therefore the purpose of this investigation to make a full and impartial effort to reveal that which is true and to expose that which is false with

respect to said charges and countercharges.

While it may appear to some that there have been more delays than necessary in getting these hearings underway, let me assure you that there has been no lack of diligence and energy. It requires a considerable amount of background work to prepare the advance material required and to develop the unprecedented rules to conduct an investi-

gation and a hearing of this type.

We have during the past several weeks devoted many long hours to the problem, literally working day and night trying to solve those problems involved in this investigation and these hearings. We have held well over 25 meetings and long conferences by our subcommittee members. Every decision, every action, and every vote has been by unanimous agreement on the part of the members of this subcommittee with the sole exceptions of the vote by which this committee assumed the responsibility for conducting the investigation, which I opposed, and the vote by which Senator Dworshak was named on the subcommittee to replace Senator McCarthy during these hearings which was opposed by Senator Dworshak. Let me add here that the committee members are deeply appreciative to Senator Dworshak for

the fact that, not being a member of this subcommittee, he has agreed as a member of the full committee to come with us and to serve during the continuation of these investigations and hearings. He comes at considerable sacrifice to himself, against his own desires, and without the background of the many meetings that the subcommittee members have held, and, Henry, we appreciate the fact that you have come at our request to serve on this committee.

I want to express my personal appreciation to every member of this subcommittee for the unprecedented cooperation and dedication to purpose which has resulted in this long, unprecedented, and unbroken

series of unanimous decisions.

It is our joint determination to conduct these hearings with a maximum degree of dignity, fairness, and thoroughness. We enter our duties with no prejudgments as to the verities in this controversy. We propose to follow the evidence wherever it leads and to give every party in this dispute the equitable treatment and consideration to which he is entitled. We have here engaged in this controversy responsible men holding responsible positions and we shall expect them to proceed in the responsible manner which their positions should require. In this spirit, the Chair hopes and expects that each participant in this dispute will offer in sworn testimony only such statements as are capable of demonstrable proof. We have adopted a series of nine special rules for this committee investigation which were approved by unanimous action both by the subcommittee and the full Committee on Government Operations. These nine rules have by now been widely publicized. Not only were they adopted unanimously but they are strictly within the framework of agreement which was reached in consultation with all of the major members and parties involved in this dispute.

We would like to reaffirm at the outset that due to the unusual circumstances of this inquiry and the positions held by the disputants, it seemed desirable to evolve rules of procedure which are somewhat of a departure from the usual rules for congressional inquiries or investigations. It is not our intention that these rules should establish a precedent which should necessarily be followed by other congressional committees or in other investigations where the circumstances differ markedly from the conditions which we have here in the current

controversy.

And now the Chair would like to make two concluding comments. Under the applicable standing rules of this subcommittee, the presence of one subcommittee member at these hearings shall constitute a quorum. This rule prevails in our subcommittee as a standing rule, solely to make certain that in the case of a test in the courts there can be no legal question raised as to whether at any given time a quorum of the subcommittee was in attendance. However, as the temporary chairman of the subcommittee during these hearings, I pledge you now that I shall not conduct these hearings at any time that both of our political parties are not represented on the subcommittee.

Since our labors began on the task in hand, numbers of our colleagues and many commentators have suggested to the members of this subcommittee that—to use a colloquialism—"We are on the spot." That statement is definitely correct. In a larger sense, however, to continue the colloquialism, the Chair would like to suggest now that.

everybody at this end of the committee room is equally and likewise on the spot. Each participant in this dispute, like each member of our subcommittee, will be carefully checked and watched. The counsel for our subcommittee, Mr. Jenkins, is likewise on the spot, representing as he does neither side of this dispute, but serving rather to help guide our entire subcommittee in its search for facts. Our friends reporting these hearings throughout America by radio and television are likewise being tried and tested by citizens everywhere, demanding what I am confident they will receive—fair and impartial coverage with no deletions or selections calculated to give advantage to one participant or the other in these hearings. And the diligent members of the working press, of whom we have seen so much these last few weeks, seated here before us now, are also on the spot as they strive with the great abilities and high sense of honor that I know they possess to give Americans the same facts and reports to read that millions of our citizens will hear or see on television screens or radio.

We are happy to have as many guests at these hearings as this spacious room will reasonably accommodate. We ask only one condition in return, and I hope that those now guests of this committee will listen to this carefully, to the end that these hearings may proceed with due decorum and with equal justice to all, we must insist that there be no demonstrations of approval or disapproval of any kind

at any time from the members of the audience.

And as chairman I now instruct the officers who are in the room with no further word from the Chair to ask anybody initiating or participating in such demonstrations to leave the room forthwith, and immediately. You are here as our guests and we want nothing to occur

to disrupt the decorum of the committee.

The reputations, the actions, and perhaps the integrity of responsible public officials are being challenged in these hearings. Under these circumstances, it is right and proper that each of us at this end of the committee room considers himself in a sense to be on trial to the extent that all of us have the obligation to do our best to enable justice and equity to prevail throughout these unprecedented hearings.

I am confident that each of us on this subcommittee will zealously

and earnestly strive to fulfill that solemn obligation.

It gives me a great deal of pleasure now to call on my good friend, my faithful colleague, my able associate, senior Senator from the State of Arkansas, ranking member of this committee, to add some words of comment at this time.

Senator McClellan. Thank you, Mr. Chairman.

On behalf of the minority members, I wish to commend you for the very frank, full and thorough statement you have made at the beginning of these proceedings. I can add very little to it. I would like to say, however, on behalf of the minority members of this subcommittee, that we exceedingly regret the events and the circumstances that have become the subject of this inquiry. However, the charges and countercharges that gave rise to this controversy are of such a grave nature as to make these proceedings mandatory. The charges and accusations are so diametrically in conflict that, as I see it, they cannot possibly be reconciled.

This committee, therefore, has the responsibility and the duty in the course of these hearings to develop the facts, and to establish the truth or the falsity of the accusations that have been made. It will be an arduous and a difficult task, one that is not pleasant to contem-

plate, but it is a job that must be done.

Mr. Chairman, we, the Democratic members, will wholeheartedly undertake to cooperate with and assist the majority in making these hearings impartial, fair and thorough, to the end that that which is true may be revealed and that that which is false may be exposed without regard to any personalities that may be involved.

Senator Mundr. Thank you very much, Senator McClellan.

Our counsel, Mr. Jenkins, will now call the first witness.

Senator McCarthy. A point of order, Mr. Chairman. May I raise

a point of order?

I note that the specifications filed here by Mr. Stevens and Mr. Adams are entitled, "Filed by the Department of the Army," and if I understand, the committee unanimously voted that Mr. Stevens, Mr. Hensel, and Mr. Adams were parties to this dispute, but the Department of the Army has never been made a party to this dispute.

I may say, Mr. Chairman, that I have heard—may I have the attention of the Chair-may I say, Mr. Chairman, that I have heard from people in the military all the way from generals, with most upstanding combat records, down to privates recently inducted, and they indicate they are very resentful of the fact that a few Pentagon politicians, attempting to disrupt our investigations, are naming themselves the Department of the Army.

I would suggest that the Chair direct Mr. Hensel, Mr. Stevens, and Mr. Adams in the future not to list themselves as Department of the Army, but list themselves as individuals, who they are—individuals who are here to prove that a private in the Army got special con-

sideration.

The Department of the Army is not doing this. It is three civilians

in the Army, and they should be so named.

Senator Mundt. The Chair will say that the statement of Mr. Stevens is not before it at the present time. Mr. Stevens is not the first witness. You may raise your point of order again if you so

desire at the time Mr. Stevens is called.

Senator McCarthy. Mr. Chairman, I do not want to take your time unduly, but we have before us as part of the record the specifications, call them what you may, dated April 13, 1954. These specifications were filed after the committee had ordered Mr. Stevens and Mr. Adams to file specifications. I maintain it is a disgrace and reflection upon everyone of the million outstanding men in the Army to let a few civilians who are trying to hold up an investigation of Communists, label themselves as the Department of the Army. I do think-

Senator MUNDT. The Chair will hold that the point of order should

not be raised at this time.

Senator McCarthy. May I finish? I do not want to take the Chair's time, but I do think, at the proper time, and you may not want to do it now, I do think at the proper time there should be stricken from this document the Department of the Army and substituted Mr. Stevens, Mr. Adams, and Mr. Hensel.

Senator Mundt. Counsel will call the first witness.

Senator McClellan. Mr. Chairman? Senator MUNDT. Senator McClellan.

Senator McClellan. At this point, in view of the question that has been raised by Senator McCarthy that the Army is not involved, I wish at the same time to raise the question for the committee's consideration, when it passes on the point of order raised by the distinguished Senator from Wisconsin, that in filing the statement of charges and specifications on the part of himself, Mr. Cohn, and Mr. Carr, his statement is signed, "Joe McCarthy, Chairman."

Mr. Chairman, I raise the question, then, that the Senate Investi-

Mr. Chairman, I raise the question, then, that the Senate Investigating Committee then would not be involved if the Army is not involved, and therefore I would move to strike the word "Chairman."

Senator Mund. The Chair would suggest that both of the points of order be delayed until the point of order raised by the Senator from Wisconsin can be legitimately made at the time Mr. Stevens is called to make a statement.

Senator McCarthy. May I say I have no objection to Mr. Stevens signing his name as Secretary of the Army on this report. I have no objection to Mr. Adams signing his title as legal counsel for the Army. I have no objection to Mr. Hensel signing his title to it. What I object to is the attempt to make this a contest between me and the Army I have unlimited respect for 99 percent of the loyal people who make up this Army. I do not have any respect for the civilians in the Pentagon who have been working night and day to attempt to shift an investigation of communism, Communist infiltration, into an investigation of one private in the Army. If we are in that investigation of the private, and I think we have to go through with it—may I have your attention, Mr. Chairman—let us keep the situation in the proper perspective.

Senator Mundt. You will be overruled at this time because it is

not appropriate. You may present it at the proper time.

Senator McCarthy. I would like to make it very clear that there is no contest between Senator McCarthy and the Department of the Army. All that Senator McCarthy has been trying to do is expose the Communists who have infiltrated the Department of the Army, a very small percent.

Senator Mundt. The counsel will call the first witness.

Senator McClellan. I would like to make it equally clear that there is no controversy between members of this committee and the other

parties involved in this controversy.

Senator Mund. The Chair suggests that perhaps reading the official presentation which is before this committee will clarify both of these points of order. I shall reread the first two paragraphs so that this is eminently clear all the way around:

This Permanent Subcommittee on Investigations of the United States Senate, being a subcommittee of the Senate Committee on Government Operations, has now convened in open session for the purpose of investigating charges heretofore made by Secretary of the Army, Robert T. Stevens, and his counsel, John G. Adams and formalized in a document dated April 13, 1954, and filed with this subcommittee, and in which a general charge is made that Senator Joseph R. McCarthy as chairman of the Permanent Subcommittee on Investigations, United States Senate, its chief counsel, Roy M. Cohn, as well as other members of its staff, sought by improper means to obtain preferential treatment for one Pvt. G. David Schine, United States Army, formerly a consultant for this subcommittee, and which numerous specific allegations are made in support of that general charge.

It is the further purpose of this subcommittee to investigate countercharges made by Senator McCarthy, Mr. Cohn, and other members of their staff against Mr. Stevens, Mr. Adams, and Mr. Hensel, the latter of whom, as a result of these countercharges, has been advised by the subcommittee he is considered a party to this controversy with the full rights and prerogatives provided for each participant by our special rules of procedure. These countercharges were formalized in a statement signed and filed with the subcommittee under date of April 10, 1954, in which they generally allege that Mr. Stevens, Mr. Adams, and Mr. Hensel attempted to discredit what is generally referred to as the McCarthy investigating committee and to force a discontinuance of further attempts by that committee to expose Communist infiltration in the Army, and in which it is further charged that Mr. Stevens and Mr. Adams made constant attempts to trade off preferential treatment for Private Schine as an inducement to the subcommittee to halt its exposition of the mishandling of Communist infiltration in the military. Specific allegations are made in support of these general charges.

That seems to make it very clear by identifying the participants involved, which the scope of this inquiry is intended to adjudicate.

Mr. Counsel, you may call the first witness.

Mr. Jenkins. Mr. Chairman, I should like to call as the first witness for Mr. Stevens, Mr. Adams, and Mr. Hensel, Maj. Gen. Miles Reber. Senator Mundt. Will you stand and be sworn, General Reber?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

General Reber. I do, so help me God. Senator Mundt. You may be seated. We will proceed.

TESTIMONY OF MAJ. GEN. MILES REBER

Mr. Jenkins. Will you please tell this committee your full name? General Reber. Miles Reber.

Mr. JENKINS. Your rank?

General Reber. Major General, United States Army.

Mr. Jenkins. Where are you presently stationed, General?

General Reber. I am now Commanding General, Western Area Command, United States Army, Europe, with station at Kaiserslautern in Germany.

Senator McCarthy. I wonder if you could identify counsel for Mr.

Reber who is sitting beside him.

Mr. Hensel. I happen to be sitting beside him, and I am not counsel for General Reber. Senator McCarthy knows well who I am, and so does everyone else here.

Mr. Jenkins. You are Mr. Hensel?

Mr. Hensel. That is correct.

Mr. Jenkins. Have you recently flown here, General Reber, for the purpose of testifying in this controversy?

General Reber. Yes. I left Germany on Sunday, and arrived here

on Monday.

Mr. Jenkins. Where were you stationed, General, as of July 8,

1953?

General Reber. On July 8, 1953, Mr. Jenkins, I was Chief of Legislative Liaison of the Department of the Army, stationed here in Washington, D. C.

Mr. Jenkins. At that time, were you personally acquainted with Senator McCarthy?

General Reber. Yes, sir.

Mr. Jenkins. With Mr. Roy Cohn?

General Reber. Yes, sir.

Mr. JENKINS. With Mr. Carr?

General Reber. Yes, sir.

Mr. Jenkins. In short, what were your duties as of July 8, 1953?

General Reber. I was charged, as Chief of Legislative Liaison of the Department of the Army, with three major missions. Those missions were to formulate, coordinate, and supervise the legislative policies and programs of the Army except for matters pertaining to appropriations.

The second point was to insure the maintenance of proper relations

between the Congress and the Army.

And the third point was to advise the Secretary of the Army and the Chief of Staff on the status of congressional relationships and on developments affecting Army interests in proposed legislation.

Mr. Jenkins. On or about July 8 of last year, did or did not you receive a call from Senator McCarthy and/or any member of his staff? General Reber. Yes, sir. On the afternoon of July 8, I received a

call from Senator McCarthy.

Mr. Jenkins. That was a telephone call?

General Reber. Yes, sir, Mr. Jenkins. Mr. Jenkins. I will ask you to now tell the committee what the purpose of the call was as expressed by Senator McCarthy at that time. General Reber. Senator McCarthy requested that I come to his

office to see him at that time.

Mr. Jenkins. As a result of that request, did you go to his office? General Reber. Yes, sir, I did, on the afternoon of Wednesday, July 8.

Mr. Jenkins. And was anyone present when you arrived at his office,

besides Senator McCarthy?

General Reber. My first conversation was with the Senator alone in his office.

Mr. Jenkins. I will ask you at this time, General, to relate to this committee the conversation verbatim as well as you can remember it.

General Reber. At that time, Senator McCarthy informed me that he was very much interested in obtaining a direct Reserve commission for his consultant, Mr. G. David Schine.

Mr. Jenkins. Did you know G. David Schine at that time?

General Reber. I did not know him personally.

Mr. Jenkins. Had you heard of him?

General Reber. Yes, sir; I had.

Mr. Jenkins. Proceed with the conversation.

General Reber. The Senator pointed out as I recall it that he felt that Mr. Schine because of his background of investigative experience with the committee was fully qualified for a commission.

Mr. Jenkins. What else, if anything, did Senator McCarthy state

to you on that occasion?

General Reber. At about that time, as I recall it, a few minutes after I initiated my conversation with the Senator, Mr. Roy Cohn came into the room. Mr. Cohn also emphasized it.

Mr. Jenkins. Was Mr. Cohn chief counsel for Senator McCarthy and his committee at that time, that is for Senator McCarthy?

General Reber. Yes, sir; he was.

Mr. Jenkins. All right, you may proceed.

General Reber. Mr. Cohn came into the room, and he further emphasized the qualifications of Mr. Schine for a commission.

Mr. Jenkins. Will you state what qualifications Mr. Cohn claimed

to have been possessed by Mr. Schine at that time?

General Reber. Mr. Cohn informed me that Mr. Schine had been a junior ship's officer in the Army Transport Service, and had served in that capacity for approximately 1 year beginning in the fall of 1946 on the United States Army Transport General Widner, and that Mr. Schine had at that time the assimilated rank of a first lieutenant.

Mr. Jenkins. Did he or not at that time state to you anything with reference to Mr. Schine's special qualifications by reason of his training and background in the detection of infiltrations of communism

in the Army?

General Reber. To the best of my recollection, I believe that he mentioned at that time Mr. Schine's qualifications as an investigator and I do not recall any specific conversation about communism.

Mr. Jenkins. Do you recall any other material statement made on

that occasion by either the Senator or his counsel, Mr. Cohn?

General Reber. Yes, sir. Mr. Jenkins. Please state it.

General Reber. It was emphasized to me that there was a very definite necessity for speed in looking into the possibility of obtaining this commission, because the status of Mr. Schine under the Selective Service Act was apparently about to change.

Mr. Jenkins. Is that or not in substance the conversation on that

occasion?

General Reber. There is one additional fact, sir.

Mr. Jenkins. What is that, General?

General Reber. That was that I requested Mr. Cohn to furnish me a biographical background of Mr. Schine in order that I might look into this question thoroughly for the Senator. I also stated, as I recall it, to the best of my ability, that I would proceed to look into this thing as carefully as I possibly could and take what action that I properly could at that time. Senator McCarthy also requested me to keep Mr. Cohn thoroughly posted on the progress of my investigation. That, in substance, was the conversation I had with Senator McCarthy and Mr. Cohn on the afternoon of July 8th of last year.

Mr. Jenkins. As a result of what was said, were you or not fur-

nished with a biographical background of Mr. Schine?

General Reber. Yes, sir; I received that biographical background the following morning, Thursday, July 9, and I received a second copy of it through the mail on the afternoon of July 9. The first copy came by riding page from the Senate.

Mr. Jenkins. Did anyone from the McCarthy committee contact

you on the following day, that is July 9, 1953?

General Reber. I believe the only contact that was made at that time was made by me directly with the McCarthy committee myself.

Mr. Jenkins. You initiated that contact?

General Reber. Yes, sir.

Mr. Jenkins. To whom did you talk? General Reber. I talked to Mr. Cohn, sir.

Mr. Jenkins. What, if anything, was said by Mr. Cohn on that

occasion with reference to Schine?

General Reber. In order to clarify my conversation, I believe I should give for the record the actions that I took that morning in order to explain my conversation with Mr. Cohn.

Mr. Jenkins. Will you do so, General?

General Reber. Upon my return to the Pentagon on the evening of July 8, it was late and it was too late for me to take any action on this case. The next morning after the receipt of the biographical data, I then called the acting chief of transportation, Brig. Gen. Paul Yount, and I asked him without giving him any names of the people involved in this case, whether or not an individual who had served for a year or approximately a year as a ship's officer, junior ship's officer, in the Army Transport Service, in 1946 and 1947, and who was otherwise physically and mentally qualified for a commission, whether or not an individual with those particular qualifications, could be given a direct commission in the Officers' Reserve Corps. General Yount, after looking into that matter called me back and informed me that it appeared that an individual with those qualifications could probably be commissioned in the Reserve Corps of the Transportation Corps.

Mr. Jenkins. Could probably?

General Reber. Yes, sir.

Mr. Jenkins. Very well. You may proceed.

General Reber. My next step then, very frankly, because I considered it my duty because of the importance of this particular case, was for me to consult with Gen. John E. Hull, who was then Vice Chief of Staff of the Department of the Army.

On that particular day, I believe that Gen. Lawton Collins, who

was Chief of Staff, was absent from Washington.

So I felt it my duty to report to General Hull this specific case to make my recommendations to General Hull and to receive his approval or disapproval of those recommendations.

Senator Mundt. Is that Hall or Hull?

General Reber. Hull, H-u-l-l. Senator MUNDT. Thank you.

General Reber. I reported personally to General Hull the essence of my conversation with Senator McCarthy and Mr. Cohn on the preceding day. I also reported to him that I had discussed the matter that morning with General Yount, without mentioning any names to General Yount, and that General Yount had told me that apparently an individual with those qualifications could receive a commission.

I then recommended to General Hull that I process the case in accordance with the then current Army regulations.

General Hull gave me a specific instruction that the case was to be processed entirely in accordance with then current Army regulations.

I also asked General Hull because of the importance of the case as to whether or not he desired me to inform the Secretary of the Army of this case. General Hull informed me that he desired me to so inform the Secretary, and I did that. I do not believe I did it on

that actual day, because I believe Mr. Stevens was also out of town on

that particular day.

After these conversations, I then called Mr. Cohn and requested that Mr. Schine be sent over to the Pentagon building as soon as possible so that we could begin processing him for a possible commission.

Mr. Jenkins. Was that done? General Reber. Yes, sir; it was.

Mr. Jenkins. Do you have any personal knowledge of what occurred when Mr. Schine appeared for the purpose of being processed?

General Reber. Yes, sir.

Mr. Jenkins. Will you relate that, please?

General Reber. From a consultation of all available records in the Department, and from my own personal recollection of the case, on the afternoon of Wednesday, July 15, one of the members of my staff reported to me that he had received a telephone call from Mr. Schine. I believe, to keep the record straight, I should insert that prior to that time and shortly after my conversation with General Yount and General Hull, I had informed three members of my personal staff of this request for a commission in order that they might be able to act in the event that I did not happen to be in the office when Mr. Schine came in. Those members were Col. Ralph C. Bing, who was then my deputy, Col. John P. Maher, who was then the Executive Officer of the Office of Legislative Liaison, and also Lt. Col. F. J. Bremmerman, who is the Assistant Executive Officer.

Now to return to July 15: On the afternoon of July 15, Colonel Bremmerman reported to me that he had received a call from Mr. Schine who stated, in effect, that he desired to come over to the Pentagon that afternoon and hold up his hand. I instructed Colonel

Bremmerman——

Mr. Jenkins. What is the significance of the statement "hold up

his hand"!

General Reber. To me the significance of "to hold up his hand" meant to be sworn in as a Reserve officer that afternoon.

Mr. Jenkins. Very well.

Senator McCarthy. Mr. Chairman, may I raise a point?

Senator MUNDT. Do you have a point of order?

Senator McCarhy. As a point of order, I assume these hearings are going to continue for quite some time, and the thought occurred to me now as to whether or not we will allow hearsay evidence. I think that obviously the Chair must be lenient to a certain extent in allowing hearsay. I know you do not follow the court rules. On the other hand, if evidence of any importance is put in by way of hearsay, I believe the individual who is quoted should be available and put under oath and be sworn. I make that point because the general is repeating hearsay.

Senator Mundt. May the Chair reply that the screening commit-

Senator Mundt. May the Chair reply that the screening committee, in reading the first statement submitted officially under the 24-hour rules, which was yesterday, had that before it. That statement included some testimony which was not direct testimony. We decided informally among ourselves, and tentatively, that in such circumstances we would try to give as much reasonable latitude as we could so that each party to the dispute could present his case in his best light,

provided the witnesses would be available to give direct testimony if

they were required. That rule will hold here.

Senator McCarthy. May I say, Mr. Chairman, I would agree with that rule, but I agree it would be impossible for Mr. Jenkins to present a complete case unless he did at times allow hearsay testimony. But my only thought is that where hearsay testimony of any importance is put in, that then the witness be available if any individual wants to call him.

Senator Mundt. That may be done. And I might add, as the very experienced attorney and counsel, the first reaction of Mr. Jenkins yesterday upon the reading of the statement was that we eliminate everything that was not direct testimony. And we said perhaps in the interest of illuminating the hearings and expediting them we should give some latitude providing the witnesses are available. We are proceeding on that basis.

Senator McCarthy. I think that is agreeable.

Mr. Jenkins. If those witnesses are not available, Mr. Chairman, and if they are not produced as witnesses, I certainly will not insist upon hearsay testimony.

Senator Mundt. Very good. You may proceed, General.

Mr. Jenkins. Now, General, will you proceed with your statement? General Reber. After receiving this message from Colonel Bremmerman, I instructed Colonel Bing and Colonel Bremmerman to process Mr. Schine—

Senator Mundt. Could you speak a little louder? Or maybe pull

the microphones a little closer. General Reber. Yes, sir.

After receiving the contents of this telephone message from Lieutenant Colonel Bremmerman, I instructed Colonel Bing and Colonel

regulations when he came over to the office that afternoon.

I was informed that afternoon that Mr. Schine did come. I know that he was in the office. I know that he started filling out his application for a commission, and I have seen the official record of the physical examination that he took that afternoon.

Bremmerman to process Mr. Schine strictly in accordance with the

There seemed to be considerable difficulty that afternoon—there was considerable difficulty that afternoon—in getting Mr. Schine to fill out a full application. Colonel Bing reported to me that Mr. Schine seemed to have an attitude of haste and impatience. I then personally spoke to Mr. Schine—

Senator McClellan. Mr. Chairman?

Senator Mundt. A point of order by Mr. McClellan.

Senator McClellan. I am sorry to interrupt, but I want to know if Colonel Bing is going to be a witness to corroborate that statement.

General Reber. I do not know, sir.

Senator McClellan. I do not believe that testimony would be proper unless Colonel Bing is going to be here to back it up.

Senator Munder. Under our rule, I think the Chair would have to sustain the point of order unless the colonel is called as a witness.

Senator McClellan. It would call for an opinion of this witness as to what somebody else told him, and I do not think it would be quite proper.

Mr. Welch. Mr. Chairman, I am informed Colonel Bing is in Kentucky and can be made available.

Senator Mundt. If he can be made available, the statement may

stand.

General Reber. I received, then, this report from Colonel Bing, which I understand he will be asked to testify about later. I then personally saw Mr. Schine and explained to him the necessity for filling out—

Senator McCarthy. May I have identified for the record the gentle-

man to Mr. Reber's left who just spoke?

Senator Mundt. He is Mr. St. Clair, who is the associate counsel with Mr. Welch. I am sorry, it was Mr. Welch himself. Mr. Welch and Mr. St. Clair are two of the members of the counsel for Mr. Stevens, Mr. Adams, and Mr. Hensel.

Senator McCarthy. Thank you.

General Reber. I then saw Mr. Schine very briefly that afternoon and explained to him the necessity for going through the full process of trying for a commission under his own personal signature and of receiving the necessary physical examination and processing. I then, because of another appointment on Capitol Hill, did not follow the case for the rest of the afternoon. When I returned to my office at approximately 5:30 or a quarter to six that evening, Mr. Schine had left.

He left with us an application that was not completely filled out. On the next day, Thursday, July 16, it was necessary to get hold again of Mr. Schine to have him fill in some of the data that was not complete in this particular necessary application for a com-

mission.

Further that day, as I recall, to the best of my ability, it was also necesary for me to send the application over to the Capitol to Mr. Cohn to request him to send it to Mr. Schine for a final piece of information. That application was sent to Mr. Schine through Mr. Cohn, and it was returned either late that evening or the next morning early by Mr. Cohn's office to me.

That brings us up to Friday, July 17.

On that date the Adjutant General of the Army started processing Mr. Schine's application for a commission. Because of his previous service in the United States Army Transport Service, it was first sent

to the Transportation Corps of the Army.

The application was found by the Transportation Corps of the Army that Mr. Schine was not qualified under the then current regulations for a direct commission in the Reserve Corps of the Transportation Corps because his actual service in 1946 was not in what we would normally term the capacity of a junior ship's officer, that is, an officer having navigational responsibility for the ship, but it was more in a position of a purser.

The commission was also thoroughly processed by the Office of the Provost Marshal General because of Mr. Schine's investigative background. That office found that he was not qualified under the then

current regulations.

Likewise because of his investigative background, I had an informal inquiry made in the Office of the Chief of Psychological Warfare, and I was informed that he was not qualified for that, because one of the

prerequisites for a commission in the Office of Psychological Warfare is 3 years of prior military experience, which Mr. Schine did not have.

During this period and up until the end of the month of July, I received numerous telephone calls from Mr. Cohn urging speed in this case, and urging a favorable result as soon as possible.

Mr. Jenkins. How many telephone calls would you estimate you

received, General?

General Reber. I could only make an estimate, Mr. Jenkins, because of course I did not keep a record of those telephone calls, but I would say that at times I received 2 and 3 telephone calls a day, and there were other days, of course, on which I received either 1 or no telephone calls. But I received consistently throughout that period possibly an average of two telephone calls.

Mr. Jenkins. And will you state again what period that embraced? General Reber. It embraced the period from approximately July 17 until the end of the month, approximately July 30 or 31. In this connection I also received 2 or 3 telephone calls directly from the

Senator on the same situation.

Senator McCarthy. I missed his answer.

Mr. Jenkins. He received during that period, that is, the middle of July to the latter part of July, some 2 or 3 calls from the Senator.

Senator McCarthy. Saying what?

Mr. Jenkins. Of the same general tenor, as I understood him.

Is that what you said?

General Reber. Two or three telpehone calls from you, Senator, urging the necessity for speed in this case.

Mr. Jenkins. Very well.

Senator Mundt. Could you lift your voice just a little louder? It

is hard to hear.

General Reber. On Thursday, July 23, 1953, I was informed by the Adjutant General that Mr. Schine's application for commission had been thoroughly processed and had been found that he was not qualified for a direct commission in the Reserve Corps of the Army under the then current qualifications or requirements for such commission. I so informed Mr. Cohn by telephone as I had agreed to keep Mr. Cohn thoroughly posted during the entire processing of this case. At the same time I notified Mr. Cohn of one additional prospect.

At that time in July of 1953, the Commanding Generals of the six Continental Army areas, in which the United States is divided, had authority on their own to award direct commissions for specialists to fill existing vacancies in their own organization. I conferred with the technical people in the Office of the Adjutant General about this possibility, and on the 23d of July when I was informed that the application for commission had been processed by the Department, and had been denied, I then started the machinery rolling to have Mr. Schine considered for a direct commission to fill a specific vacancy by the Commanding General, First Army, at Governors Island in New York, because Mr. Schine was then a resident of New York City.

The actual processing of that application was sent by the Adjutant General to the Commanding General of the First Army. My office

kept in touch with this processing by telephone.

Between the period July 23–24 and the end of the month, Mr. Schine's application was considered thoroughly by a board of officers

appointed specifically for that purpose by the Commanding General, First Army. That board found that Mr. Schine was not qualified to fill any specialist vacancy that existed in the First Army at that time. I received that information, as I recall it, on either the 29th or 30th of July, and I am not exactly sure which date.

I then telephoned that information to Mr. Cohn, as soon as I re-

ceived it.

About that time, either just before or just after I sent Mr. Cohn this information, I was asked by him, by telephone, to inquire as to the possibility of obtaining a commission for Mr. Schine in the Department of the Air Force or the Department of the Navy. In response to that request, I telephoned first to Maj. Gen. Robert E. L. Eaton, who at that time was director of legislative liaison of the Department of the Air Force.

In my conversation with General Eaton, I did not use any names. I merely asked General Eaton, and I stated to him, of course, that he knew that I was the legislative liaison business and he knew my requests came from Members of Congress and I did state to him that I had a specific request from a Senator to determine whether or not an individual with the following qualifications could be given a direct commission in the Department of the Air Force, and I then outlined Mr. Schine's qualifications as they had been furnished officially to the Department of the Army.

General Eaton replied that at the time the Department of the Air Force was not giving any direct Reserve commissions of any kind.

I then endeavored to reach Adm. Ira Nunn, who was then Judge Advocate General of the Navy. I was not able to reach him, and I then talked to Comdr. James Carnes, the existing officer of the Legislative Division, Office of the Judge Advocate General of the Navy. Again, in my conversation with Commander Carnes, I gave no names. I merely outlined the qualifications of the individual.

Commander Carnes, after doing some checking, as I recall it, called me back and stated that the Navy's requirements for direct commissions in the Naval Reserve Corps at that time were substantially the same as those of the Army, and he emphasized the fact that one of

the Navy's specific requirements was prior military service.

I then informed Mr. Cohn of the results of those two conversations. Mr. Jenkins. General, is that now the end of your connection with the so-called "efforts" to procure preferential treatment for Schine? General Reber. There was one other episode in which I was—yes,

I was directly connected; yes, sir.

Mr. Jenkins. Is it material to the issue? General Reber. No, sir; I do not believe it is.

Mr. Jenkins. Let us stop there. General Reber. Right, sir.

Mr. Jenkins. Now, General, I want to make myself clear. I do not represent Mr. Adams, Mr. Stevens, Mr. Hensel, nor do I represent the Senator and the members of his staff, but I represent this committee. It now becomes my duty to, certainly to the extent that I deem proper, and in order that this committee may determine the weight to be given to your testimony, cross-examine you.

General Reber, you, in your position with the Army, receive many telephone calls from many Senators, Congressmen, administrative

officials, and others, with reference to the inductees, draftees, or those about to become so, did you not?

General Reber. Yes, Mr. Jenkins, I did.

Mr. Jenkins. And that has been common practice, I would say, since the time to which your memory runneth not to the contrary, is it not?

General Reber. Yes, sir.

Mr. Jenkins. So that these telephone calls and conversations from Senator McCarthy, we will discuss him first, were not unusual, were they?

General Reber. No, sir; telephone calls from Senators were not

unusual.

Mr. Jenkins. Did you at any time feel that Senator McCarthy was

high-pressuring you?

General Reber. No, sir; I cannot say that I felt that he was highpressuring me to a great extent. I was sure that he wanted a favorable answer. I could tell that.

Mr. Jenkins. You knew of the tremendously important work in

which Senator McCarthy was then engaged, did you not?

General Reber. I certainly did, sir.

Mr. Jenkins. And that was the investigation of Communists and of the infiltration of Communists in industry, in every branch of the Government, as well as in the Army?

General Reber. That was my understanding.

Mr. Jenkins. General, you would regard that as work than which there could possibly be no more important work insofar as the security of the Nation is concerned, would you not?

Mr. Jenkins. It would have top billing and top priority over every-

thing else, that is correct, is it not?

General Reber. I certainly think it is vital, sir.

General Reber. I have to be very frank, sir, I am under oath. I cannot say over everything else, but it would be very high priority.

Mr. Jenkins. Does any endeavor on the part of any individual or group of individuals occur to you as being more important and especially at this particular time, than that of the tracking down and ferreting out of Communists or those with Communistic leanings whether they be in the Army or anywhere else in this country?

General Reber. Certainly not to my knowledge, sir.

Mr. Jenkins. And that was the work that Senator McCarthy was doing, was it not?

General Reber. Yes, sir.

Mr. Jenkins. And that was the work that he told you that G. David Schine was doing, was it not?

General Reber. That is correct, sir.

Mr. Jenkins. And so in evaluating these telephone calls and contacts from Senator McCarthy to you, with respect to G. David Schine, one would have to, and I am sure you did, take into consideration not only the individual but the character and the importance of the work in which he was engaged. That is correct, is it not?

General Reber. I certainly did, sir.

Mr. Jenkins. And you were told and you know, or rather you were told, by both Senator McCarthy and Mr. Cohn that Schine was an expert, trained investigator, with a background of experience, pos-

sessing a peculiar knowledge of what constituted a Communist and the means and best methods available of detecting a Communist. They told you that, did they not?

General Reber. Yes, sir; they did.

Mr. Jenkins. Now, General, you have spoken of numerous calls, some, I believe, 3 or 4, from Senator McCarthy and numerous others from Mr. Cohn. Taking into consideration the vital work in which they told you Schine was engaged, I believe you say that you did not regard the efforts of Senator McCarthy as being improper in any respect in his efforts to get some, shall we say, preferential treatment for Schine so that he could assist in carrying on this investigative work of the Senate; is that right?

General Reber. I believe, Mr. Jenkins, I said that I did not consider that Senator McCarthy's telephone calls to me were out of the normal amount—I will not say normal, out of the experience that I had had before in cases of this kind. I do not believe I said anything about

the propriety of those calls.

Mr. Jenkins. What about Mr. Cohn?

General Reber. I felt that Mr. Cohn was persistently after me, sir.

That is the feeling that I had all during this performance.

Mr. JENKINS. Did you feel that Mr. Cohn's efforts on behalf of this boy engaged in this particular line of endeavor along with Mr. Cohn

and the Senator were improper?

General Reber. I felt this, Mr. Jenkins. I felt that in view of the position of the committee staff, that I was being put under definite pressure, because I know, sir, that there is a specific proviso whereby an individual who is considered to be sufficiently important to the national safety, health, and interest, that he should remain on his then current duties, that individual can be exempted from selective

Mr. Jenkins. Do you know whether or not any application had been made by Schine with his selective service board to be exempted or deferred on account of this vital work in which he was engaged?

General Reber. I do not, sir.

Mr. Jenkins. You do not. Now, General, you know the character of work being carried on at Fort Monmouth, do you not, or you know of it, and at the time?

General Reber. I know of it; yes, sir.

Mr. JENKINS. Did you know that at that time, that is, July 1953, and perhaps before that time, the McCarthy Investigating Committee was laying the groundwork for an investigation of Communist infiltration at Fort Monmouth?

General Reber. I did not, in July of 1953, know that. Mr. Jenkins. You later learned that fact; did you not? General Reber. I did, Mr. Jenkins.

Mr. Jenkins. And you later learned that as a result of the Senator's efforts, together with that of his staff, at least 38 civilian employees at Fort Monmounth were either fired or suspended because of their communistic leanings or background. That is true; is it not?

General Reber. I know that a number of—a number of approximating 33, I believe, Mr. Jenkins, were suspended. I frankly do not

know the details or the reasons for their suspension.

Mr. Jenkins. Do you know that G. David Schine participated in the investigation of Fort Monmouth?

General Reber. It is my understanding that he did.

Mr. Jenkins. Fort Monmouth is the very site upon which the defenses against both the atomic and the hydrogen bomb are planned and laid; is that correct? It is the Signal Corps of the Army?

General Reber. It is the Signal Corps Research and Development

Activity, sir, which is vital to the activity.

Mr. Jenkins. And there is located there radar installations, and

the study of electronic devices. So that there certainly—

Senator Mundt. May the Chair suggest that the reporter cannot interpret a nod. If you will say "yes" or "no" or qualify your answer. But a shake of the head or a nod of the head is hard for the reporter to hear.

Mr. Jenkins. So that it was vital to the interests and the safety and the security of the Nation that there, of all places, be no employee or no member of the Army at Fort Monmouth who was a doubtful

security risk. That is correct; is it not?

General Reber. That certainly is, Mr. Jenkins.

Mr. Jenkins. And that is the character of work that was carried on by the Senator, the members of the staff, including Schine, and with the result that 33 questionable civilian employees were discharged or suspended. That is correct; isn't it?

General Reber. Of my own personal knowledge-

Mr. Jenkins. That is a matter of general knowledge, isn't it, General Reber; a matter of general knowledge?

General Reber. It is a matter of general knowledge, sir.

Mr. Jenkins. Yes.

General Reber. That Senator McCarthy's subcommittee investigated Fort Monmouth. It is a matter of general knowledge, also, that various people were suspended at Fort Monmouth, and I don't believe it is a matter of general knowledge as to reasons why those individuals were suspended.

Mr. Jenkins. Well, General, if only one was suspended, you would not minimize the importance and the result of that investiga-

tion. One would be one too many; would it not?

General Reber. One certainly, one subversive person would be far

too many, sir.

Mr. Jenkins. I now turn the witness over to the chairman for fur-

ther examination.

Senator Mundt. Thank you, Counsel Jenkins, and may I say that you have progressively and successively asked most of the questions that I had in mind. I do have 1 or 2.

Did Mr. Carr at any time, General Reber, intercede with you in be-

half of Mr. Schine?

General Reber. Not with me personally, sir.

Senator Mundt. With you personally? General Reber. No, I believe, and I don't want to get into the hearsay field, but I believe that there is a possibility of calls to my staff.

Senator Mundt. To your personal knowledge—General Reber. To my personal knowledge he did not call me, sir. Senator Munder. The calls then were those made by Mr. Cohn and Senator McCarthy?

General Reber. That is correct.

Senator Mundr. Do you know of your personal knowledge the

date that Mr. Schine was inducted into the Army?

General Reber. Not the exact date, Mr. Chairman, I know of my personal knowledge that he was inducted early in November of 1953. Senator Mundt. The Chair does not recall your mentioning any

telephone calls after about the end of July.

General Reber. That is correct.

Senator Mundt. Was there some reason why the calls stopped at the end of July, instead of at the end of October, and did you have a transfer or were you still in the same position?

General Reber. Between the end of July and the first of October I remained as Chief of Legislative Liaison. I was actually assigned

to the Office of Legislative Liaison during October.

Senator Munder. But the last call that you received from either Senator McCarthy or Mr. Cohn on the Schine matter was approximately the last part of July?

General Reber. That is correct, sir.

Senator Munder. Just one final question, I think the order to bring your testimony directly into the purview of the hearings—and let me ask you the question first from the standpoint of Senator McCarthy and then from the standpoint of Mr. Cohn. I will not ask it from the standpoint of Mr. Carr since he did not call you. Did you consider any of the calls or conversations that you had with Senator McCarthy to come under the heading of using improper means to induce or intimidate you to give Mr. Schine a commission?

General Reber. No, sir; I was not intimidated or anything like that. Senator Mundt. Let me ask you the same question concerning Mr. Cohn. Did you consider any of his calls or conversations to be of a nature to comprise an improper effort to induce or intimidate you

to give Private Schine a commission?

General Reber. None of Mr. Cohn's calls to me were of that

character.

Senator Mundt. I think we are going to proceed with a maximum of 10 minutes without interruption.

Senator McCarthy. I am sorry, I cannot hear the witness. What

was the last answer? General Reber. None of Mr. Cohn's calls to me were of that

Senator Munder. Under the rules of the subcommittee, each of the members of the committee, and then the counsel for the respective sides, has a maximum of 10 minutes of questioning. The Chair will

now call on Senator McClellan.

Senator McClellan. General Reber, your first contact with Senator McCarthy was on July 8, at his request, at which time you came to his office and you were there informed of what the purpose of the conference was.

General Reber. Yes, sir; Senator McClellan.

Senator McClellan. Now, there was nothing unusual or out of the ordinary in any respect that a Senator might call you or call any other representative of the Army, or any other branch of the service to ascertain if an applicant might receive a direct commission?

General Reber. Nothing unusual, Senator.

Senator McClellan. In other words, that is frequently done?

General Reber. Yes, sir.

Senator McClellan. And they are frequently granted, where the applicant can qualify?

General Reber. That is correct, sir.

Senator McClellan. Not so much now as they were during World War II and an earlier period?

General Reber. That is correct, sir.

Senator McClellan. They are quite limited in number now, I believe; is that correct?

General Reber. Very limited; direct commissions are very limited

now

Senator McClellan Now, Senator McCarthy only had with you some 2 or 3 more contacts, and that was by telephone. Did he in your presence or at any time did you learn from him that he had directed or instructed Mr. Cohn to pursue this matter with you?

General Reber. During my first conversation with Senator Mc-Carthy and Mr. Cohn, the Senator requested me to keep Mr. Cohn fully posted on the progress of this case, and I interpreted that as

being also instructions for Mr. Cohn to follow up with me.

Senator McClellan. Now then, that is what I want to try to determine, whether Mr. Cohn in his contacts with you and in his telephone calls was acting in his individual capacity as a friend, we will assume, of Mr. Schine, or if he was acting as a member of the committee staff, thus representing the committee, or undertaking to represent the committee, or was he acting as the personal representative of the chairman. From your experience, from what occurred, please tell this committee how you so interpreted his contacts with you.

General Reber. I interpreted his contacts with me as being the result of that conversation which I have just described in the presence of the Senator. In other words, that he was acting with the Senator's in-

structions.

Senator McClellan. He was acting under the instructions of Senator McCarthy. Did you understand that those instructions were to carry with it the force of the committee; that the committee, as such, was seeking the appointment, or that it was simply Senator McCarthy seeking the appointment for one of his staff members?

General Reber. I felt that it was entirely a matter of Senator McCarthy, Senator McClellan, and the committee did not enter specifi-

cally into the case, as far as I recall.

Senator McClellan. I wanted to get this record clear, and since the first contact was made with you, I wanted to get it in its proper perspective as to whether the committee was involved in seeking a direct commission for Mr. Schine, or if this whole proceedings was one instituted by the chairman of the committee as a Senator and in his individual right to seek a commission for a member of his staff. Is that the way you interpreted it?

General Reber. I interpreted it as being a matter initiated by Sen-

ator McCarthy, sir, and I know of no committee action as such.

Senator McClellan. You did not at any time get any impression that the committee was taking such action?

General Reber. No, sir, I cannot say that I did.

Senator McClellan. Nothing was said to you by either Senator McCarthy or Mr. Cohn to indicate that the committee had any special interest in it, or was initiating the action?

General Reber. No, Senator McClellan.

Senator McClellan. As to Mr. Cohn then, from there on, as I understand you, you interpreted his actions and his contacts with you as carrying out the instructions of Senator McCarthy? Or did you interpret his actions as being that of his own personal interest?

General Reber. I interpreted his action both ways.

Senator McClellan. As being both, representing Senator Mc-Carthy and of his own personal interest?

General Reber. Yes, sir.

Senator McClellan. Did you interpret it as being of his own personal interest because of the language and conversations that he had with you about it?

General Reber. No, sir, not because of the language but because

of the frequency.

Senator McClellan. Because of the frequency? Was there anything unusual about the frequency with which you were contacted;

was it out of the ordinary in cases of this character?

General Reber. Yes, sir; I received a great many more calls than I normally did in similar cases that came through either individual secretaries of Members of Congress or through committee, individuals who were on committee staffs.

Senator McClellan. Have you had calls heretofore, I want to get that clear; have members of committee staffs heretofore called you with respect to applications for direct commissions in any branch of

the Service? Can you recall any others?

General Reber. I cannot recall exact instances, but I believe it is

fair enough to say that I have received requests of that kind.

Senator McClellan. That you have received requests of that kind. You spoke, I believe, and do you want to give that impression—I got that impression, and I want you to clear it up if I am in error—you gave the impression that Mr. Schine, when he came down to the Pentagon for the purpose of holding up his hand and you asked him to process an application, that he was reluctant to do it and left without filling it out in full so as to give you all the accurate information you needed.

Do you mean to leave that impression? Is that correct, or am I

General Reber. The impression I intended to leave, Senator Mc-Carthy—I mean, excuse me, Senator McClellan—was this: That Mr. Schine felt when he came to the Pentagon Building that this business of filling out applications and going through the routine processing was of no real importance.

Senator McClellan. In other words-

Senator MUNDT. I am sorry, the time of the Senator has expired.

Senator Dirksen?

Senator Dirksen. General Reber, just two or three very simple

questions.

Were any written memoranda exchanged on this matter at any time? I noticed that all of these were telephone conversations or personal conversations. Were there any data, letters, written memoranda, covering this matter that was then occupying your attention in July of

1953?

General Reber. No written matters by me, Senator Dirksen, except a brief penciled series of notes which I made when I first went to Senator McCarthy's office, and then, of course, the biographical sketch which Mr. Cohn sent me on the morning of July 9; and then, actually, the actual processing of the application was all in writing and with the proper forwarding data throughout the official channels of the Department of the Army, yes, sir. That is all in writing.
Senator Dirksen. Do you recall anybody else besides the Senator

or Mr. Cohn who discussed this matter with you? By that I mean

members of the committee staff?

General Reber. No. sir.

Senator Dirksen. Insofar as you recall, only the Senator and Mr. Cohn discussed this with you?

General Reber. Yes, Senator Dirksen.

Senator Dirksen. One other question. Was all of this conversation carried on in good temper and with restraint?

General Reber. Yes, entirely, sir. Senator Dirksen. That is all.

Senator Mundt. Senator Jackson of Washington.

Senator Jackson. General Reber, to follow on up on the question that you were answering in response to Senator McClellan's question at the conclusion of his interrogation, what was the reaction of Mr. Schine to the filling out of the forms? Was he reluctant to fill them out or did he want to fill them out that day and be sworn in? I did not quite get the import of your testimony.

General Reber. He apparently, and this is an opinion solely, he apparently felt that the business of filling out forms and going through

with the processing, was an unnecessary routine step.

Senator Jackson. Did he take the form with him then? General Reber. No, he left the form with us the first night.

Senator Jackson. As I understand it, did he fill out the entire

General Reber. He filled out a considerable portion of it. However, he left gaps in the form.

Senator Jackson. What gaps?

General Reber. The only one that I remember distinctly now was the gap concerning his service with the Army Transport Service.

Senator Jackson. When did you learn of the committee investigation at Fort Monmouth? When did that start, to your knowledge, if you know?

General Reber. In September or October of 1953. Senator Jackson. In September—or October of 1953?

General Reber. I am not exactly certain whether it was September or October.

Senator Jackson. Did you know of an investigation going on at Fort Monmouth by the committee at the time of the conversations that you had with the various people in connection with this application for a commission by Mr. Schine?

General Reber. There was no investigation, to my knowledge, going

on at that time.

Senator Jackson. That is all, Mr. Chairman.

Senator Mundr. Senator Potter, of Michigan.

Senator Potter. General Reber, how long did you serve as Chief of

the Liaison Division for the Army on Capitol Hill?

General Reber. I served as Chief, Senator Potter, for 3 years and 4 months. I served as deputy for approximately 7 years prior to that.

Senator POTTER. So you have been here about 10 years in the Liaison Division, is that correct?

General Reber. Approximately; yes, sir.

Senator Potter. Can you tell the committee approximately how many Members of Congress have asked or made similar requests for commissions for persons, either constituents or friends that they might have?

General Reber. Senator Potter, I couldn't possibly estimate a number of cases that I have been asked to look into with reference to things like commissions over the past 10 years. It would be just a very rough guess. It is a sizable number.

Senator Potter. It is a sizable number? General Reber. A sizable number.

Senator Potter. It was a part of your duties and responsibilities to service such requests, and those requests are not improper, whether they come from a Member of Congress or from a citizen in the home town or from parents?

General Reber. No, sir.

Senator Potter. Or the individual himself, is that correct?

General Reber. That is correct, sir.

Senator Potter. Now, General Reber, I believe you touched on this question, but you stated that neither Senator McCarthy nor Mr. Cohn intimidated you or threatened you in any way, is that correct?

General Reber. That is correct, Senator Potter.

Senator Potter. Neither by word or by action, is that correct?

General Reber. That is correct, sir.

Senator Potter. You stated, however, that the frequency of Mr. Cohn's calls, you felt, was unusual pressure, is that correct?

General Reber. I do, sir. I base that on my 10 years of experience.

Senator Potter. It wasn't the normal action? General Reber. It was more than the normal.

Senator Potter. Did you report that activity to any superior officer

or to the Secretary of the Army?

General Reber. I reported the request for a commission, as I stated, to both General Hull and to the Secretary of the Army. I made no report on the number of telephone calls or various things like that. That is something that I personally was responsible for.

Senator POTTER. General Reber, isn't it a normal procedure for a person who is seeking a commission to appear before a board of

officers?

General Reber. That is correct, Senator Potter.

Senator POTTER. Did Mr. Schine appear before such a board?

General Reber. He appeared before a board of officers in New York. He did not appear before a board of officers here in Washington, because, as I understand it, there was no necessity for appearing before that board because he did not possess the necessary qualifications of experience and background to be commissioned here in Washington.

Senator Potter. In other words, he was deemed ineligible because of lack of qualifications without the necessity of going before a board?

General Reber. That is correct, Senator Potter.

Senator POTTER. I think it might be well if you would explain to the committee just what is the United States Army Transportation Serv-

ice. Is that a part of our military branch?

General Reber. Yes, sir. That is 1 of the 7 technical services of the Department of the Army that is charged with the mission of providing the necessary transportation of all kinds that the Army needs to conduct its missions both in peacetime and wartime, in the course of acquiring the necessary supplies, training the necessary personnel and carrying on the necessary research and development in the transportation field.

Senator Potter. Did Mr. Schine, serving with that service, serve

as a military man?

General Reber. I am afraid I didn't quite understand the question. Senator Potter. Did Mr. Schine, when he served, as I understand, with the United States Army Transportation Service, serve as a military man?

General Reber. No, sir, he did not. He was not in the Army.

Senator Potter. And that was one of the bases upon which he was

not qualified for a commission, is that correct?

General Reber. I believe the basis was more: that he was not what I would call a junior ship's officer, and in other words a ship's officer who has gone through the necessary schooling to permit him to navigate ships. I believe that was it. I am not an expert in that field, Senator Potter, but that is my understanding.

Senator Potter. That is all.

Senator Mundt. Senator Symington, of Missouri.

Senator Symington. General Reber, do I understand from you, sir, that all possible steps you knew of were taken in an effort to get Mr. Schine a commission?

General Reber. All possible steps that I knew of; yes, Senator

Symington.

Senator Symington. My second question: Do you know on what date the Fort Monmouth investigation started?

General Reber. I don't know the exact dates.

Senator Symington. Will you submit that for the record?

General Reber. I certainly shall, sir.

Senator Symington. I have no further questions. Senator McCarthy. Mr. Chairman, a point of order.

General Reber cannot submit that date. The only man who can submit that date is the chairman of the committee, myself, and I will be glad to submit that date. We did not inform General Reber when that investigation started.

Senator Mundt. General Reber may do his best and the chairman

may submit his data, and I hope they jibe.

Senator McCarthy. I think I know when I started.

Senator Symington. May I ask Senator McCarthy if he will submit that date to the committee?

Senator McCarthy. If the Senator had been with the committee on that date, he would know the date.

Senator Symington. I would like to say one thing on that. I am not sure.

Senator Mundt. Do you have any care to resume?

Senator Symington. I have asked the questions of General Reber and made the comments I would like to make. Thank you, Senator.

Senator Dworshak. General Reber, your testimony indicates that you explored all possibilities available to you in an effort to get favorable action on the application of Mr. Schine.

General Reber. That, sir, was the intention of my testimony, Sena-

tor

Senator Dworshak. Would you be as diligent in other cases or applications for a commission in which you knew there was an interest on the part of some Member of Congress?

General Reber. Yes, sir, I think that I would. I don't believe, frankly, that I would have moved quite as fast, because I was re-

ceiving a great many telephone calls.

Senator Dworshak. I don't recall of any particular interest that I have had during my congressional service in trying to get a commission for some constituent or friend, but it would appear to me that you did become very diligent in your efforts to be accommodating, you might say, or at least to get favorable action on this particular application.

General Reber. I tried to process the thing as rapidly as I possibly could, under the then current regulations of the Department of the

Army.

Senator Dworshak. And you conferred with the various services and explored all possible approaches in order to get some action on this commission?

General Reber. I did to the best of my ability, Senator.

Senator Dworshak. That is all.

Senator Munder. Under the rules established by the committee, after the committee members have each asked the questions that they care to under the 10-minute rule, counsel for each side of the dispute

may have 10 minutes to interrogate the witness.

Insofar as the chairman is able to determine, when the witness appears to be a witness supporting the position of Messrs. Stevens, Hensel, and Adams, we will ask the counsel for the Army to proceed first, and whenever the witness appears to be somebody supporting the position of Senator McCarthy and his two associates, we will ask them to appear first.

Senator McCarthy. It is perfectly agreeable.

Senator Mundt. Mr. Welch and Mr. St. Clair, you have 10 minutes

between you.

Mr. Welch. I think I have but three questions for the General.

Senator Mundt. We cannot hear you. You will have to use those microphones, and General Reber will have to speak in the same micro-

Mr. Welch. Let us now try a test remark. Am I doing all right?

Senator Mundt. It is very hard to hear.

Mr. Welch. I must have a soft voice. Will it do now?

General Reber, I think I have about three questions to ask you. Were you acutely aware of Mr. Cohn's position as counsel for this committee in the course of your conversations and contacts with him?

General Reber. I was, Mr. Welch.

Mr. Welch. Did that position occupied by Mr. Cohn increase or diminish the interest with which you pursued the problem?

General Reber. To the best of my ability, I feel that it increased

the interest.

Mr. Welch. One more question, sir. Disregarding the word "improper" influence or pressure, do you recall any instance comparable to this in which you were put under great pressure?

General Reber. To the best of my recollection, I recall of no in-

stance under which I was put under greater pressure.

Mr. Welch. That is all.

Senator Mundt. Senator McCarthy or Mr. Cohn, or both, you have 10 minutes between you.

Senator McCarthy. I have a few questions, Mr. Chairman.

General, I am not going to ask you to name the Senators, and I don't want to embarras them, because I think their requests undoubtedly were made in completely proper motives, but, roughly, how many requests have you received from the members of this committee from time to time for assignment or for information as to the rights of men in the military?

Again I say I don't want you to name the Senators, but roughly all

 told .

Senator McClellan. Mr. Chairman, if the Senator will permit, I insist that he name the Senators and give the number and it will not be embarrassing to the Senator from Arkansas.

Senator Symington. Nor will it be embarrassing to the Senator

from Missouri.

Senator McCarthy. I hope this isn't counting against my 10 minutes, Mr. Chairman. If the Senators want to have the Senator's name, they can ask to have them named and I will not ask to have them named. I merely want to get the general picture. If I thought there had been improper conduct on the part of the members of this committee, I would ask that they be named. I have no indication that there was any improper conduct and I am just trying to get the general picture.

General Reber, did you get my question? The question is how many times have members of this committee requested information from you as to how to process an application for a commission, how to process, for example, a hardship release, what you would call consid-

eration for a man in the military.

General Reber. Senator, I would like to be able to answer that question specifically. I will have to answer it this way, that I got approximately 1,000 cases in my office a week. That is over 10 years, that is a lot of cases.

I know that I have received many, many requests for information of

all kinds from members of this subcommittee.

Senator McCarthy. And in some cases you were successful where there was a request for a commission, in having a case processed so the commission was granted?

General Reber. That is correct, sir.

Senator McCarthy. In this case, of Private Schine, he is still a private and you were not successful, is that right?

General Reber. I was not successful, Senator.

Senator McCarthy. Now, I wonder if the reporter would read back the first question asked of General Reber, and I think you will want to correct his answer. That is the first question asked by counsel. That is the very first question.

Senator Mundt. If you will proceed, we can save some time. Senator McCarthy. Without taking the time of the reporter, Mr. Reber, you said as of July 8, you were acquainted with Mr. Carr, and Mr. Cohn, and McCarthy?

General Reber. That is correct, sir.

Senator McCarthy. Now, I would like to refresh your recollection. On July 8, Mr. Carr was not with the committee and Mr. Carr was head of the FBI subversive group in New York. Is that the correct title?

Mr. Carr. Yes.

Senator McCarthy. Did you know him when he was head of that subversive group of the FBI in New York?

General Reber. I did not.

Senator McCarthy. So then you were mistaken when you say you knew Mr. Carr on July 8.

General Reber. I was mistaken in that respect, yes, sir; I admit

that frankly.

Senator McCarthy. Actually the first time you saw Mr. Carr was in September when you appeared as a witness before this committee, is that not correct?

General Reber. That is correct.

Senator McCarthy. So that you did not know him until Septem-

ber when you appeared as a witness before this committee?

General Reber. I believe, I am sure, I received telephone calls from him prior to that date, Senator, but I do not know the date of those telephone calls.

Senator McCarthy. About what?

General Reber. About various requests from the committee, sir. Senator McCarthy. Anything having to do with Mr. Schine?

General Reber. No. sir.

Senator McCarthy. Nothing improper about the request, merely requests for information?

General Reber. Requests for information for the committee,

Senator.

Senator McCarthy. Now, you made the statement that you thought that Mr. Carr had contacted some members of your staff. Now that is about Mr. Schine. Now that you know Mr. Carr was not with the committee on July 8, and he came with the committee some time after that, do you still say that Mr. Carr contacted members of your staff and if so I want to know upon what you base that statement?

General Reber. I base that statement on a memorandum which is

in the files of my office.

Senator McCarthy. Do you have that memorandum with you? General Reber. I do not but I can produce it, Senator.

Senator McCarthy. Who is the memorandum made by? General Reber. By Lt. Col. F. K. Bremmerman, I believe.

Senator McCarthy. You said you thought that Mr. Cohn had used, I forget your words, pressure or something to that effect because of the number of calls.

Let me ask you, forgetting about the number of calls, was there anything in any one individual call which was different from the calls that you got normally from the Hill from the members of the

staff of the various Senators and committees?

General Reber. To be absolutely frank, sir, I believe there was this difference, that a large number of the calls that I got from the Hill merely requested information. These specific calls were impressing me with the necessity for speed, and for favorable action. So there was that difference.

Senator McCarthy. Did you ever get any requests before for

favorable action?

General Reber. I did, sir. Senator McCarthy. You did?

General Reber. Yes, sir.

Senator McCarthy. So was there any difference between the

Cohn requests and the other requests you got?

General Reber. There was no difference between Mr. Cohn's requests and the other requests of the type that you mentioned. However, that type of request was only a very small part of the total number

of requests that I received.

Senator McCarthy. Then we get down to the number of calls Mr. Cohn has made, and he will question you about the number of calls. You seem to object to the number of calls. Could I ask you what was par for the course? What was the average number of calls you received when you were unsuccessful?

General Reber. I will try to answer that question to the best of my

ability, Senator.

Frankly, I don't understand it. But I think you mean how many calls would I get in an average case. I would say that in the case of a commission, I would probably not get more than 4 or 5 calls, unless there was tremendous interest in that particular commission.

Senator Mundt. I am sorry, the Senator's time has expired. We will go around the table again and come back to you and Mr. Cohn.

Senator McCarthy. Is my 10 minutes up?

Senator Mundt. Yes, it is.

Does counsel have further questions to ask of the general?

Mr. Jenkins. General Reber, I do think it is proper to ask this

question, and I do not believe it has been asked:

Does the Army have and did it have as of 1953 or prior thereto, an agency set up for the purpose of investigating the infiltration of Communists in the Army?

General Reber. Absolutely it did, Mr. Jenkins.

Mr. Jenkins. Was that an active agency during the year 1953?

General Reber. It was a very active agency.

Mr. Jenkins. Do you know whether or not that agency in 1953 had investigated Fort Monmouth?

General Reber. I have learned later that Fort Monmouth was investigated prior to the summer of 1953.

Mr. Jenkins. When did Secretary Stevens come into office?

General Reber. Secretary Stevens came into office in either Feb-

ruary or early March of 1953.

Mr. Jenkins. Do you know whether or not Secretary Stevens had caused his designated agency to investigate Fort Monmouth any time after he came into office?

General Reber. I know that the Secretary had Fort Monmouth very thoroughly investigated in the fall of 1953. I don't know whether he had it investigated prior to that time.

Mr. Jenkins. Was that after Senator McCarthy had initiated his

investigation?

General Reber. I believe it was, yes, sir; I believe it was. Mr. Jenkins. After the Senator had initiated his investigation?

General Reber. I believe that is so.

Mr. Jenkins. Do you know whether or not the investigating agency of the Army discovered the presence of any Communists or those with communistic leanings as a result of its investigation, and in addition to the 33 that were uncovered by the McCarthy committee?

General Reber. I certainly am not trying to duck anything in my

answer to this question, but-

Mr. Jenkins. There is no implication that you are ducking.

General Reber. But I am not personally familiar with the details of the Fort Monmouth investigation.

Mr. Jenkins. I didn't get your answer.

General Reber. I am not personally familiar with the details of the Fort Monmouth investigation. It started about the time, at least, as far as the Army is concerned, it started about the time that I was

relieved as chief of legislative liaison.

Mr. Jenkins. If the Army discovered none, no Communists, no persons with questionable background in 1953, and if the McCarthy committee and its staff discovered 33, would you as an Army man consider that a reflection on the efficiency of the investigating agency of the Army?

General Reber. Mr. Jenkins, I shall have to answer that as a hypo-

thetical question, because I don't-

Mr. Jenkins. Assuming that those things are true. General Reber. Assuming those things are true?

Mr. Jenkins. It is whether or not you would consider it as a reflection.

General Reber. I would say we had been remiss in our very impor-

tant duty, sir.

Mr. Jenkins. I understand you to say, General, that the Pentagon, you, your office, received approximately 1,000 calls a week from Senators, Congressmen, others, in connection with the personnel of the

General Reber. Not a thousand calls, Mr. Jenkins; a thousand cases a week in connection with all of the activities of the Army. It didn't

involve solely personnel; all of the activities of the Army.

Mr. Jenkins. How many calls, on the average, a week would you say the Army received with respect to some favor or preferential treatment, whether a commission or leave of absence or otherwise, of anyone in the Army?

General Reber. Based on my experience, I would say that the Army receives very few requests for favors. We get a tremendous number of requests for information, a very large volume, but very few requests

for favors.

Mr. Jenkins. Mr. Chairman, that is all I care to ask.

Senator Mundt. The Chair has no further questions. I call on Senator McClellan, if he has any.

Senator McClellan. Just one or two questions. If a Senator or Congressman called you with respect to getting a soldier a leave of absence to go home on account of illness in the family, do you regard that as asking for preferential treatment?

General Reber. I certainly do not, Senator McClellan.

Senator McClellan. Do you regard it as asking for preferential treatment if an applicant applies for a direct commission if he has the qualifications?

General Reber. I certainly do not, sir.

Senator McClellan. Is it not his right, as an American citizen, to apply for a position in the Army if he possesses the qualifications? General Reber. It is his right and privilege and I hope he does it. Senator McClellan. So as to making applications or as to making requests, under many circumstances there is no request for preferential

treatment; is there? General Reber. No. sir.

Senator McClellan. There would be no request for preferential treatment in this case insofar as the application was concerned for a direct commission? That is not a request for preferential treatment; is it?

General Reber. It is not a request for preferential treatment to

apply for a direct commission, Senator, no.

Senator McClellan. But if the applicant fails to possess the requisite qualifications and then someone insists that disregarding those lack of qualifications that he be commissioned, that is a request, is it not, for preferential treatment?

General Reber. I would consider it a request; yes, sir. Senator McClellan. That is all, Mr. Chairman. Senator Mundt. Senator Dirksen, of Illinois.

Senator Dirksen. General Reber, only to keep the record straight, I asked you a little while ago, when Senator McCarthy, I think, was momentarily absent from the room, whether somebody else on the staff other than Mr. Cohn had called you with respect to the Schine case, and I thought your answer was "No."

General Reber. That was my answer, sir, and it is still my answer. Senator Dirksen. I noticed in the memorandum that has been filed with the committee that Mr. Carr's name is not mentioned until the 2d of October. So I wondered about the first question to which you responded, whether you had contacts with Mr. Carr as well as with others on the Schine case.

General Reber. As I understood the first question, the first question was merely did I know Mr. Carr on July 8. My memory was incorrect

and I admit it frankly, sir.

Senator Dirksen. That is all. Senator Mundt. Senator Jackson.

Senator Jackson. Mr. Chairman, just to clarify a point raised about when Mr. Carr went to work for the committee, I think it would be well to have in the record the date when the announcement was made that he was to be the new staff director, and when he formally went to work for the committee.

Senator Mundt. Pardon me.

Senator Jackson. I do not believe you had the opportunity to hear my request, Mr. Chairman. I suggested that in order to keep the

record straight that there be submitted the date as to when Mr. Carr was appointed, when the announcement was made of his appointment, and when he formally went to work for the committee.

Senator Mundt. May I ask the permanent chairman of the com-

mittee whether he will submit that for the record?

Senator McCarthy. I will be very glad to. Senator Potter. I have no further questions. Senator Symington. I have no further questions. Senator Dworshak. I have no further questions.

Mr. Welch. I have nothing further.

Senator McCarthy. I have a few further questions.

Now, General Reber, you said that I had called you, I forget the date, I think that you said July 8, just to refresh your recollection. Actually, I had not called you. Someone from my staff had called you and asked you to drop into the office at your convenience, was that not correct?

General Reber. That is correct, yes. The word I got was that you

desired me to come to your office.

Senator McCarthy. When you came to the office, I told you that Mr. Schine felt he was entitled to a commission, and I asked you whether or not he was in your opinion, and if so how you would apply for it. And you told me you thought that with his background he was entitled to a commission, and you told me how he should apply, is that correct?

General Reber. That is correct, sir. I did say that; in view of the service that I understood him to have for the Army Transportation Service in 1946, I thought he was qualified.

Senator McCarthy. You don't feel that I was asking for any spe-

cial consideration for him?

General Reber. No, sir, I can't say that you were asking for special

consideration at that time.

Senator McCarthy. And I told you that I would be too busy to keep contact with this, that Mr. Schine was a very close personal friend of Mr. Cohn's, and that I wished you would have your office notify Mr. Cohn of what, if any, progress was made and if Mr. Schine was not entitled to a commission I would ask you to notify Mr. Cohn, is that correct?

General Reber. As I recall it, Senator, you requested that I keep Mr. Cohn or my office keep Mr. Cohn posted on the progress of the

case.

Senator McCarthy. Now, General, Mr. Welch asked you whether or not you were acutely aware of the fact that Mr. Cohn was the chief counsel for our committee. Your answer was "Yes". Will you tell

us why you were acutely aware of that?

General Reber. I know or I knew in general the functions of your committee. And I knew that Mr. Cohn that spring had been appointed as chief counsel of the committee, and I knew that, as such, he would have a great deal, or as I inferred in my own mind that he would have a great deal to do with the Army in the course of the months in the following meeting.

Senator McCarthy. Is Sam Reber your brother?

General Reber. Yes, sir.

Senator McCarthy. Now, did anything about Sam Reber's activities make you acutely aware of the fact that Mr. Cohn was chief counsel?

General Reber. No, sir.

Senator McCarthy. Do you know that Mr. Sam Reber was the superior to Mr. Kaghan, who Mr. Cohn and Mr. Schine were sent to Europe by me to inspect the libraries, that your brother, Mr. Sam Reber repeatedly made attacks upon them and that your brother, Mr. Sam Reber, appointed a man to shadow them throughout Europe and keep the press informed as to where they were going and where they were stopping?

Were you aware of that at the time you were making this great

effort to get consideration as you say for Mr. Schine?

Mr. Jenkins. Mr. Chairman, please, General, do not answer that

at this time.

Mr. Chairman, I must object to the question and any answer thereto, on the grounds that any answer elicited will be wholly irrelevant to the issues.

Senator McCarthy. If I cannot show bias, Mr. Chairman, and prejudice on the part of a witness, then that is in violation of every

rule of law that I know of.

Mr. Jenkins, may I say I have a great deal of respect for your ability as a lawyer, and I think that you are trying to do a completely fair job here, and the mere fact that you and I may differ on some rules of law certainly will not be interpreted by me as any bias on your part. But this general has been before the committee before, and he has been before us when I tried to get him to give us information about those who covered up Communists in Government, the first contact with Mr. Carr. And may I finish, Mr. Chairman?

Senator Mund. Speak to the point of order.

Senator McCarthy. May I say his statement that he felt that Mr. Cohn was using improper pressure, and his statement that Mr. Cohn was doing it under my instructions, in my opinion is completely false, and I think that I am entitled to show motive on the part of this witness.

Let me say this: I realize the normal feelings which a man has for his brother, and I don't attribute any evil motives on his part. After the trip to Europe in which his brother made vicious attacks upon Mr. Schine and Mr. Cohn, I may say we had no knowledge of the relationship. When Mr. Reber came to my office and I discussed the question of whether or not Mr. Schine was entitled to a commission, and Mr. Reber said he was entitled to one—

Senator McClellan. That is testimony.

Senator McCarthy. May I finish my statement?

Senator McClellan. You are giving testimony. I have a right to object at any time.

Senator McCarthy. Don't object in the middle of my question.

Let me state my position.

Senator McClellan. I do not want you testifying; there are a lot of facts here unless you want to take the witness stand, and I do not mind your saying it under oath.

Senator McCarthy. I have asked the witness a question and that was objected to, and I am making the position now that I am entitled

to ask the question to show motive on the part of this witness. I restate, Mr. Jenkins, and may I say that I know that the very able counsel, Mr. Jenkins, did not come into this case until late, and he does not know that I had a great deal of trouble with this particular witness both before this committee and in instructions that he gave witnesses in New York, and I want to go into all of those matters to show motive.

Senator Mundt. Then, the Chair will listen to counsel.

Mr. Jenkins. It is my opinion that Senator McCarthy has a right to ask of this witness any statement designed or calculated to show a motive on his part to color or distort his testimony, but not to make a statement of fact as the Senator was doing. If he will put his statements in the form of questions, then undoubtedly he has a right to show a motive on the part of any witness to speak, but with all due deference to the Senator he was not doing that, and he was making statements of fact. That is the basis of my objection.

Senator McCarthy. I think perhaps counsel's objection is well

taken.

Senator Mundt. You can ask questions then.

Senator McCarthy. I think perhaps counsel's objection is well taken, and I will rephrase the question.

Senator MUNDT. We will proceed in order.

Senator McCarthy. General, at the time that you were processing the application of this young man, Schine, for a commission, were you aware of the fact that he had had a very unpleasant experience with your brother who was the Acting High Commissioner in Germany?

General Reber. I was not aware, Senator, of any specific experience with my brother. I knew that Mr. Cohn and Mr. Schine had had specific difficulties with the Department of State during their trip to Europe in the spring of 1953 but I was not aware of any specific

difficulty with my brother.

Senator McCarrhy. You, of course, knew that your brother was

the Acting Commissioner of Germany at that time?

General Reber. I did, sir.

Senator McCarthy. And had you read the newspaper stories about the statements that your brother, Sam Reber, had made about Mr. Cohn and Mr. Schine?

General Reber. I do not, to the best of my ability, recall seeing any specific statement attributed to my brother in the newspapers about Mr. Cohn and Mr. Schine.

Senator McCarthy. From your brother's office, then?

General Reber. I do recall statements, yes, from the Office of the

High Commissioner.

Senator Mund. The Senator's time has again expired, so we will have to go around the table. Do you have any further questions, Mr. Counsel?

Mr. Jenkins. No more.

Senator MUNDT. The Chair has none.

Senator McClellan?

Senator McClellan. No questions.

Senator Mundt. Anybody on this side? Anybody on this side? You have another 10 minutes. I am sorry, Mr. Welch.

Mr. Welch. I have none at this moment.

Senator McCarthy. General, when you were called to our office and when you had this great success in helping promote Schine to the extent that he is a private, don't you think that you should have at least told me about the fact that you were the brother of the man who has all this difficulty with Mr. Cohn and Mr. Schine, if I can use the word?

General Reber. Senator McCarthy, if I had had the slightest idea at that time that any difficulty that Mr. Cohn and Mr. Schine had had with my brother would have affected my actions in this case, I certainly would have told you. I did not have the slightest idea at that time, and I have not had that idea up until the present moment, that difficulties with the High Commission in Germany would in any way affect my conduct of the processing of Mr. Schine's request for a commission.

Senator McCarthy. Would it in any way affect your testimony, do

you think?

General Reber. It certainly would not affect my testimony.

Senator McCarthy. Just to recap your testimony, if I may, I understand your testimony is this: That you were called to my office, that I asked you whether or not this man was entitled to a commission because of his background in having had, what you would call an assimilated commission in the Army, his experience as an investigator.

At that time you told me you thought he would be entitled to a commission. Later you discovered that in your opinion he was not entitled to one. So as far as you were concerned, Private Schine has received no special consideration as far as a commission is concerned?

General Reber. I would like to say first, Senator, that I based my statement in our office, that he appeared that he might get a commission, on the information that was furnished me at that time, which to the best of my recollection was that Mr. Schine had served as a junior ship's officer. Mr. Schine did not so serve. If he had served, as I understand the regulations, he might have been commissioned.

Senator McCarthy. In any event, you discovered later he was not

entitled to a commission?

General Reber. That is correct, sir.

Senator McCarthy. And did not get a commission?

General Reber. He did not.

Senator McCarthy. He is still a private?

General Reber. Yes, he is.

Senator McCarthy. Have you seen the reports in the press to the effect that he was denied admission to certain schools because he had been previously connected with this committee?

General Reber. I have seen numerous stories in the press. I believe

I have seen a story somewhat to that effect, Senator.

Senator McCarthy. So that if that story is true, this would be rather rank discrimination against a man because he had worked with this committee?

General Reber. I should have to answer that entirely as a hypothetical question. If that story was true, it would certainly indicate

that he was not receiving special consideration.

Senator McCarthy. In other words, we both saw the story in the press, and neither you nor I know whether that is true or false, the story that he was denied consideration to which he would otherwise

be entitled, because he had been connected with the committee. If that story is true, that would mean instead of getting special consideration, he was discriminated against because of his connection with the committee?

General Reber. Yes; as a purely hypothetical question, if that story is true, it would indicate that he was being discriminated

against.

Senator McCarthy. General——

Mr. Chairman, I am again addressing myself to the question of motive. I want to make it clear I am not trying to indicate any evil intent upon the part of this general at all. I do think I must go into the question of motives.

General, you were before this committee a number of times, is that

right, when I was chairman?

General Reber. I actually only testified, Senator McCarthy, once on the 8th of September 1953. I did, in my capacity as chief of the legislative liaison, furnish your committee a great deal of informa-

tion from time to time.

Senator McCarthy. At that time we asked you—as I recall, I repeated the question a number of times—asked you whether or not you felt that the committee should be entitled to the names of individuals in the Pentagon who had protected and covered up Communists. At that time I had difficulty getting an answer from you on that.

I ask you this question today because I am firmly convinced the reason we are here spending our time on the question of whether or not Private Schine received special consideration is because we are getting close to the nerve center in the Pentagon of the old civilian politicians over the past 10 or 20 years who have covered up. I want to ask you today whether or not you feel that this committee, when we get through with this television show, should be entitled to get the names of those, for example, who received the cases of individuals who had been suspended from Fort Monmouth. I am not speaking of the 33 suspensions during our investigation. I am speaking of suspensions made long before that, over the past 5, 6, or 7 years, by competent commanding officers—I believe the figure was 35, I am not sure—by different commanding officers, who were found unfit by the First Army Loyalty Board because of Communist background. They applied to a screening board or an appeal board or a loyalty board, I don't know what you would call it, in the Pentagon; and of the 35, 33—

Senator MUNDT. The Senator's time has expired.

Senator McCarthy. Can I finish this question, Mr. Chairman? Senator Mundt. You have a right to conclude a sentence after your

time has expired, so proceed.

Senator McCarthy. Of the 35, 33 were ordered reinstated, ordered back to Fort Monmouth to secret and other classified radar work. The question that I had asked then and that I ask now——

Senator Mundt. The Senator's time has expired.

Mr. Jenkins. Mr. Chairman? Senator Mundt. Counsel?

Mr. Jenkins. Counsel for the committee objects to the question and any answer thereto on these grounds: The Senator's question is argu-

mentative. It contains statements of fact. It would not elicit any information pertinent to this inquiry, including any motive on the part of this witness to swear falsely or to distort his testimony.

Senator Mundr. The Chair is inclined to uphold the objection, unless the members of the committee feel otherwise. Time has expired.

Counsel, have you any other questions?

Mr. Jenkins. No, sir. Senator Jackson. Was the objection sustained? Senator Munder. The objection was sustained.

Mr. Jenkins. No other questions.

Senator Mundt. The Chair has no other questions. Senator Mc-

Senator McClellan. No questions. Senator Munder. Senator Potter? Senator Potter. No questions.

Senator Symington. General Reber, how long have you been in $\hbox{the Armv?}$

General Reber. Thirty-five years.

Senator Symington. When did you go into the Army?

General Reber. I went into the Army on the 13th of June 1919 when I entered the Military Academy at West Point.

Senator Symington. Are you a graduate of West Point?

General Reber. Yes, sir.

Senator Symington. Did you take an oath when you-

Senator McCarthy. A point of order, Mr. Chairman. The Chair upheld the objection to my question and I did not appeal from that decision of the Chair, and if that question of mine is improper, although I disagreed, then these questions about the date that Reber was born and when he went into the Army and what his education was are equally unimportant to this issue. The question of when he came into the Army cannot determine this issue in any way.

Senator Mundt. The Chair desires to hear from committee counsel

on the objection.

Mr. Jenkins. Mr. Chairman, it is my opinion that the questions now being asked by Senator Symington are proper in that they elicit from the witness information as to his experience in the Army and his knowledge of the Army, and of the machinery of the various agencies of the Army, and they go to the question of his ability and fitness and peculiar knowledge to speak of the matters about which he has testified, and it is my opinion that the questions are proper.

Senator Symington. General Reber, did you graduate from West

Point?

Senator Munder. The Chair will decide on the counsel of the committee that the questions are proper in the absence of being overruled by the committee.

Senator Symington. I want to apologize for not asking the questions in proper legal fashion, but I am not a lawyer and I have no legal training.

General Reber. I did, Senator Symington, in June of 1923.

Senator Symington. When you went into the Army in the beginning, you took an oath, did you not?

General Reber. I certainly did.

Senator Symington. Did you remember how the oath goes?

General Reber. To support the Constitution against all enemies whomsoever.

Senator Symington. Now you are under oath at this time, are you not?

General Reber. I am what?

Senator Symington. You are under oath. General Reber. I definitely am under oath.

Senator Symington. Would you in any way have acted against Private Schine or anybody else because of any influence that had been given you by your brother, or would you have acted in accordance with the oath you took when you went into the Army at all times?

General Reber. I would have acted entirely in accordance with

the oath that I took, and have upheld ever since, Senator.

Senator Symington. I have no further questions, Mr. Chairman.

Senator Munder. Are there any other questions?

Mr. Welch. No.

Senator Mund. May the Chair inquire of Senator McCarthy, in the interest of knowing whether we can complete this witness at this session, as we would like to adjourn soon, whether you would need more than another 10 minutes to corelyda?

than another 10 minutes to conclude?

Senator McCarthy. Mr. Chairman, I don't know. Frankly, I am going to accede to my chief counsel, Mr. Cohn, and he tells me he thinks the questioning will not take any more than 10 minutes. I assume that he will cover the ground that I would normally cover, and I am inclined to think 10 minutes might be sufficient.

Senator Mundt. What would you think, Mr. Cohn; could you con-

clude in 10 minutes?

Mr. Cohn. I am sure we can, Senator Mundt.

Senator McClellan. Mr. Chairman, I move we recess until 2 o'clock or 2:30, or whatever the scheduled time is.

Senator Mundt. It is 2:30.

Senator McClellan. I have withheld asking several questions because I was trying to conclude but if we are going to continue, I could well anticipate there will be other questions and we will not be able to conclude with the witness.

I suggest, and I do not move, but I suggest, that we recess now.

Senator Mund. What is the pleasure of the committee?

Senator Potter. If Mr. Cohn concludes in 10 minutes, I would pre-

fer to stay and conclude the witness.

Senator MUNDT. May the Chair inquire of Mr. Cohn, if we could have assurance that at the end of 10 minutes you would complete the interrogation so that we could dismiss the witness, otherwise we can recess?

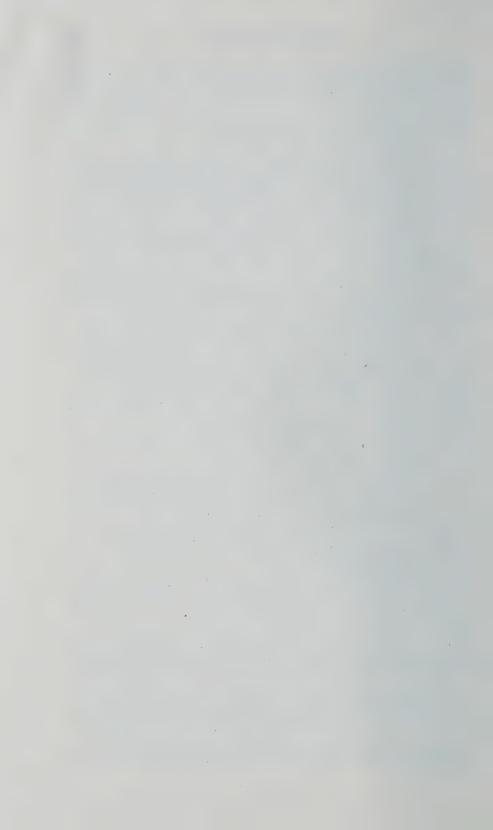
Mr. Cohn. I would say this: If it is very important to the committee or another witness, I could do it, but I do have a considerable number of questions, and in all honesty I would like to ask and it might run over 10 minutes, and I feel I could not give that assurance. If the committee wants me to, I will.

Senator Mundt. May the Chair announce that we have permission from the Senate to sit this afternoon and we will meet at 2:30 and General Reber will be the first witness, and Mr. Cohn will be the first

interrogator.

(Whereupon, at 12:40 p. m. a recess was taken until 2:30 p. m.

the same day.)



APPENDIX

SUPPLEMENTAL DATA

No. 1

At the close of an executive meeting of the Senate Committee on Government Operations on July 16, 1953, Senator Joe McCarthy, chairman, introduced Mr. Francis P. Carr and announced his appointment as the executive director of the Senate Permanent Subcommittee on Investigations, of which Senator McCarthy is also chairman.

Mr. Francis P. Carr was sworn in as executive director of the Senate Perma-

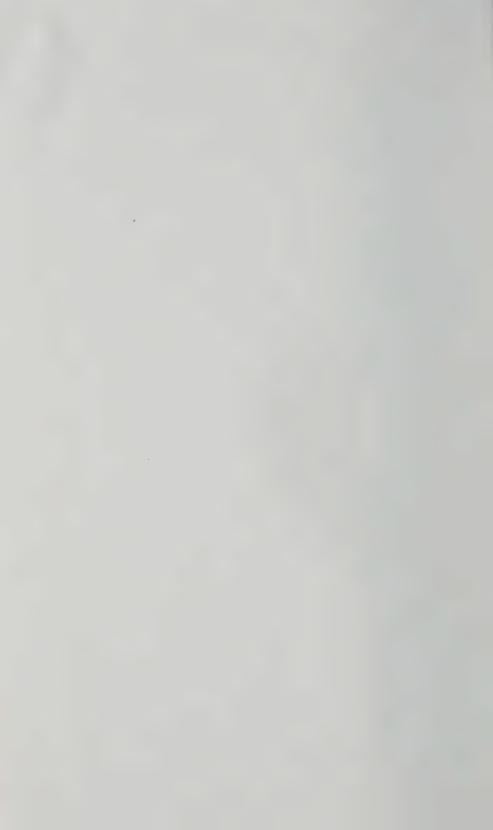
nent Subcommittee on Investigations on July 16, 1953.

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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSHANT TO

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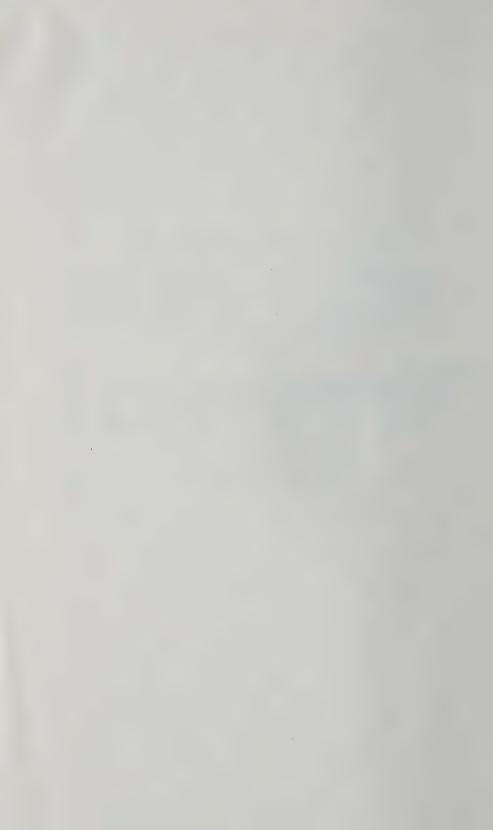
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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

THURSDAY, APRIL 22, 1954

United States Senate,
Special Subcommittee on Investigations of
the Committee on Government Operations,
Washington, D. C.

AFTER RECESS

(The subcommittee reconvened at 2:30 p. m., pursuant to recess.)
Present: Senator Karl E. Mundt, Republican, South Dakota; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal Participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, staff director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; and James D. St. Clair, special counsel for the Army.

Senator Mund. The committee will please come to order.

For the benefit of our guests who have not been here this morning, may the Chair remind you that there are to be no manifestations or expressions of approval or disapproval of any of the proceedings. We must insist definitely that that order be maintained. May I say, everybody was very fine this morning in that connection.

TESTIMONY OF MAJ. GEN. MILES REBER-Resumed

Senator Mundt. General Reber is on the stand, and he has been sworn. The first man to ask questions is Mr. Cohn.

Are you ready, Mr. Cohn?

Mr. Cohn. I have just 2 or 3 very brief questions. Senator Mundr. You have 10 minutes if you care to consume it. Mr. Cohn. I don't know if you can see me, or if it is important if

you can or not.

Apparently the one point you make, as far as I am concerned, is that I called you frequently. Now, I wonder if I could ask you this: Is it usually possible for someone from the Hill to get you on the wire by calling you once?

General Reber. Yes, Mr. Cohn, it is.

Mr. Cohn. Well, sir, would you dispute the fact that my experience was, when I would place a call to you, I would sometimes—and I say this in no tone of criticism, and I know how busy you are, and you have many duties which took you out of your office over to various offices and committees on the Hill—would you dispute the fact that there were occasions when I tried to reach you which necessitated the leaving of a considerable number of messages until you got back to your office at the end of the day or the next day?

General Reber. No, indeed, Mr. Cohn. I very frequently was

absent from the office up here at the Capitol.

Mr. Cohn. I ask you that, sir, because I checked and I would suggest to you on the basis of that, that at times for as much as 2 or 3 days my office as a routine matter would place a call and when you were unavailable they would repeat the call until they got you, and there might be a lot of messages ending up in one conversation. That is why

I brought that up.

Now, I wanted to ask you this second question, if I may: The testimony which you gave this morning was embodied by Mr. Stevens and Mr. Adams and Mr. Hensel in a report as allegations Nos. 1, 2, and 3, I believe, of improper means to get preferential treatment. I am wondering whether or not you could tell the committee if a similar public report was issued in the course of business when the overseas orders of Major Peress, the Communist organizer, were canceled after intervention by a Congressman from New York State. Was a public report issued about that, do you know?

General Reber. As far as I know, Mr. Cohn, I don't know of any report that was issued in the case of Major Peress. I don't know anything about that because I was in Germany at that time and so I know none of the details whether a report was issued or not. I don't know.

Mr. Cohn. Now, finally, in fairness, General, I did want to ask you this: Do you not know for a fact that after Mr. Schine and I discovered the fact, and I say this in no note of reflection, that we had had a rather unpleasant experience with your brother and that you were the brother of the man with whom we had that experience, that I talked with Gen. Walter Bedell Smith about it and asked him to review the way in which the application for a commission was processed and whether it had been done in a prejudiced or biased way.

Did that not ever come to your attention?

General Reber. I know that Gen. Walter Bedell Smith actually did make an inquiry to the Department of the Army, on the afternoon of Friday, July 31.

Mr. Cohn. Did you not know that that inquiry by General Smith

was made after I had talked with him?

General Reber. I frankly at that time did not know whether it was the result of your conversation, Mr. Cohn, or whether the Senator had called him. Mr. Cohn. Did you think there was anything improper in General

Smith's inquiry, by the way?

General Reber. Absolutely not, General Smith did not make inquiry direct to me, and he made the inquiry direct to General Hull, and I, however, did talk with General Smith the following day on instructions from General Hull.

Mr. Cohn. And you certainly did not feel there was anything improper in General Smith making the inquiry, I assume?

General Reber. No; I certainly didn't.

Mr. Cohn. I have no further questions, Mr. Chairman.

Senator Mundt. Have you concluded yours?

Senator McCarthy. I have no further questions, Mr. Chairman.

Senator Mundt. Is there any other question?

Mr. Jenkins. I have one other question.

General Reber, in view of a question asked you by Mr. Cohn in which there was an implication that one reason why he called you so many times was because he was unable to contact you, I wish to state that it was my understanding this morning and I ask you to correct me if I am mistaken, that Mr. Cohn called you rather an unusual number of times when he actually did contact you.

Were you speaking of the times that contact was made and you carried on conversations with him, when you testified that you considered that he had made an inordinately large number of telephone

calls, and am I mistaken in that or not?

General Reber. Mr. Jenkins, this morning I testified that Mr. Cohn had actually reached me; I believe that was my intent to signify that he had actually reached me by telephone on a considerably larger number of times than was ordinarily the case. I do know that he made a lot of additional attempts to reach me when I wasn't in the office but I am speaking solely of completed telephone calls.

Mr. Jenkins. As I understood further, it was the burden of your testimony that the thing that impressed you about those calls from Mr. Cohn was the persistency with which they were made, is that

correct?

General Reber. That is correct, Mr. Jenkins.

Mr. Jenkins. That is all.

Senator Mundt. Senator McClellan?

Senator McClellan. General, I had not intended to ask this question because I thought we were concluding before noon, but in some part of your testimony this morning you used this expression, "Because of the particular importance of this case with respect to the application of Mr. Schine." What did you mean with respect to the particular importance of this case, and how do you differentiate from any other

application for a direct commission?

General Reber. As I said, Senator McClellan, part of my duties are to keep the Secretary of the Army and the Chief of Staff informed as to the trend of our relationships with the Congress. In this particular case, I happen to know of my own knowledge that publicly Mr. Schine was very well known to the people of the country. I knew from my own knowledge that any commissioning or request for commissioning by Mr. Schine of a direct commission was an important public relations question to the Department of the Army. Therefore, I felt it my duty to inform my superiors as to a problem that had been

placed in front of me, together with my recommendations. That is what I meant.

Senator McClellan. Did you relate it in any way to the fact that

so much effort was being made to get him a commission?

General Reber. At that time, sir, I did not, because this was the morning after my first contact and I had only had one contact at the time that I saw General Hull.

Senator McClellan. So it was not related to that in any sense? General Reber. No, sir; not to any persistent telephone calls or anything like that.

Senator Mundt. Anyone on the majority side?

Senator Jackson. Mr. Chairman, I have one question.

Did Mr. Cohn complain to you at any time during this period of any bias, alleged bias, that you might have against him by reason of your brother?

General Reber. No, none whatsoever. The first conversation that I have heard from either Senator McCarthy or Mr. Cohn about my

brother occurred in this hearing today.

Senator Jackson. That is the first time——General Reber. That I have heard it from them.

Senator Jackson. That you heard it mentioned. During all of this time that the matter of the commission was under consideration, did you or did you not have any bias toward anyone who had requested that application be acted upon?

General Reber. I had absolutely no bias at all, sir.

Senator Jackson. You feel that you can tell the committee conscientiously that you were acting freely and without any desire to be unfair to anyone?

General Reber. I feel that I can tell the committee absolutely unequivocably that I acted without any bias of any kind in this case.

Senator Jackson. That is all the questions that I have at this point, Mr. Chairman.

Senator Mundt. Senator Symington, do you have a question? Senator Symington. General Reber, was there anything that you could have done within your power that was left undone to get the commission for Mr. Schine?

General Reber. No, sir. Senator Mundt. Mr. Welch? Mr. Welch. I have nothing.

Senator Mundt.. Senator McCarthy?

Senator McCarthy. Yes; I have 1 or 2 questions. May I say, General, to begin with, I think I should apologize, and I think we all should apologize to the general of the Army to keep you here questioning you about the private in the Army who is still a private despite all the special consideration he got. No. 2, let me say that this committee has nothing in its record that reflected adversely on you as far as I am concerned, as far as I know. However, I would like to ask you this question, and I think it should be on the record, for the benefit of the committee: Are you aware of the fact that your brother was allowed to resign when charges that he was a bad security risk were made against him as a result of the investigations of this committee?

Mr. Jenkins. Just a minute, General Reber.

Mr. Chairman, I must object to that on the grounds that it is wholly irrelevant.

Senator McCarthy. Mr. Chairman, with as much respect as I have for the very able counsel, let me say that this question is of the utmost importance. The general here is testifying, and I get the impression at times, reluctantly, adversely to Mr. Cohn. I assume that he has the same affection for his brother that the average man has. If his brother was forced to resign from a high position in the State Department as a result of activities on the part of this committee, resigned because he was a bad security risk, even by no reflection upon the General, he is not responsible for his brother and has had no close contact with him, I understand, for years, I do think that it is important to have that in the record insofar as the possible motive for his testimony is concerned.

Mr. Jenkins. Mr. Chairman, if the Senator will embrace those facts in his question, I will withdraw my objection because, in my opinion, those facts would make it a perfectly legitimate question on

the issue of motive on the part of this witness.

Senator McCarthy. Mr. Chairman, may I say I used to think that I knew the rules of evidence very, very well. I have to admit I am learning some new rules of evidence. I think your objection is well taken. I think the question should be rephrased so that it contains the proper elements.

Senator MUNDT. Senator McClellan?

Senator McClellan. Mr. Chairman, I raise this question as to its

competence.

There has been no testimony that the statements that the Senator makes as facts are true, and until they are established in this record as facts, then the question is incompetent.

Senator MUNDT. Senator, we will proceed in order.

Senator McClellan. Let us have a ruling on this, because we may be trying members of everybody's family involved before we get

through.

Mr. Jenkins. Mr. Chairman, as an attorney for the committee, let me say that Senator McCarthy is entitled to ask General Reber whether or not the statements embraced in his question are true. That is, was his brother forced to resign as a result of facts brought to light by the McCarthy committee.

If he will ask that question directly, I advise this committee that

in my opinion it is a perfectly legitimate question. Senator McClellan. If he asks it that way, yes.

Senator MUNDT. Very well, the Senator will proceed in order and

rephrase the question.

Senator McCarthy. Let me ask the question piecemeal, if I may: General, your brother has resigned from the State Department, is that right?

General Reber. I believe he has retired from the State Department,

Senator.

Senator McCarthy. Do you know—I am not asking you for the reason, they can be improper or purely hearsay on your part—do you know why he retired?

Mr. Jenkins. Mr. Chairman, I submit that that is not proper. Senator McCarthy may ask him if he knows whether or not he retired or

resigned as a result of an investigation of him conducted by either

Senator McCarthy or any member of his staff.

Senator McCarthy. I will accept the wording of the question by the chief counsel of the committee. Would you answer the question as worded by the chief counsel, General?

General Reber. May I ask the counsel, please, to repeat that ques-

tion? And have the reporter read it?

Senator Mundt. Mr. Jenkins will repeat it.

Mr. Jenkins. The question is whether or not your brother retired or resigned from the State Department as a result of his being investigated and have facts elicited from that investigation by Senator McCarthy and/or any member of his staff. The question is, do you know whether or not that occurred.

General Reber. Until the Senator brought this question up a few minutes ago, I had never heard a single word about my brother being

investigated in any way by this committee.

Mr. Jenkins. General, you have not, however, given a direct answer. You can answer it "Yes" or "No." Do you know it? And then make any explanation you desire.

Do you understand the question?

General Reber. May I have the specific question read to me? Senator Mundt. I will ask that the reporter read the question. Senator McCarthy. Mr. Counsel, may I ask this question—

Senator Mundt. Let the reporter read the question and get an answer first.

(The reporter read from his notes as requested).

General Reber. I do not know and have never heard that my brother retired as a result of any action of this committee. The answer is "Positively no" to that question.

Senator Mundt. Senator McCarthy.

Senator McCarthy. General, I just have one other question, and may I say, first, that I very much dislike the idea of having to go into the record of your brother, because I think you have a good record and I don't think you are responsible for any record of your brother. Let us make that clear. But on the question of the motive for your testimony, I think that I must in fairness to my staff go into it.

Let me ask this question: Do you know now or do you have any reason to believe that your brother resigned because charges involving

security were brought against him?

Mr. Jenkins. Mr. Chairman, I am sorry, I have to object. If that question embraces charges with respect to security brought by Senator McCarthy or his staff, it would be proper. Otherwise, it would not be proper because it would show no motive on the part of this witness to testify falsely against Senator McCarthy or any member of his staff.

Senator McCarthy. Mr. Chairman, may I respectfully differ with our learned counsel. This committee has been dealing with security matters, and it is impossible for this witness to know whether or not a man was dropped because the chain of events was originated by this committee.

May I have the Chair's attention?

If a man in the position of the—I must have the Chair's attention. Senator MUNDT. Pardon me.

Senator McCarthy. If a man holding a job so important that he was the Acting High Commissioner of Germany resigned because of security reasons after our committee staff had been over in Germany and had interviewed him, and after he made statements or his office made statements against my staff, I believe it is very pertinent to know whether or not General Reber knows whether or not his brother was dropped on security grounds.

I think that does reflect upon motive. I think that he should be asked to answer that question, and I don't want to pursue this any

further.

May I say, Mr. Chairman, that this is something that I would not bring up—I think much of what we are doing is a waste of time, but I think I have an obligation to the committee to do that and to bring all of the facts to light.

Senator Mundt. May the Chair inquire of counsel now whether, having heard the statement from Senator McCarthy on the point of

order, he restates his objection or withdraws it?

Mr. Jenkins. So long as the question is whether or not the witness' brother resigned or was discharged from the Department by reason of an investigation of him or by reason of the fact that he was a bad security risk, counsel will be constrained to object as I have heretofore stated. If the Senator will ask a question embracing the fact or a legal fact that such resignation occurred as a result, directly or indirectly, of an investigation by the McCarthy committee, my objection will then be withdrawn.

Senator McCarthy. May I say-

Senator Mundt. The Senator will proceed in order.

Senator McCarthy. May I say while I disagree with the very able counsel, I can see nothing to be gained by spending further time on this, and I will withdraw the question.

Senator MUNDT. Thank you.

Does any other member of the Senate or counsel for the Army have any further question, or Mr. Cohn?

Mr. Cohn. No. sir.

Senator Mundt. Mr. Welch, do you have a question?

Mr. Welch. I have a question.

I would like to ask the witness kindly to state to the committee-I would like to ask the witness if he will kindly state to the committee his knowledge of the reasons lying back of his brother's retirement from this position.

Senator McCarthy. Mr. Chairman, a point of order. Unless the witness wants to do that, I think that is a completely unfair question. I would not ask him that question. It has to do with the type of se-

curity, whether it is Communist activities.

Mr. Jenkins. May I agree with you, Senator McCarthy, the objection by counsel for the reasons stated by the Senator.

Senator Mundr. On advice of counsel, the Chair, unless he is over-

ruled by the committee, will sustain the objection.
Senator McCarthy. May I say, if for some reason General Reber wants to volunteer the information, I have no objection, but I think it is a highly unimportant question.

Mr. Jenkins. It would unnecessarily burden the record, and it is not germane, and I see no reason to do it. An objection is interposed.

General Reber. May I ask a question as a witness? It is highly irregular, I know, but may I ask a question?

Senator Mundt. You can ask it. I don't know what will happen

to it. You can ask it.

General Reber. As I understand this procedure, a very serious charge has been made against my brother in this room. I would like to answer publicly that charge right now, to the most honest extent of my knowledge of the situation.

Senator Mundr. Does anyone interpose an objection?

You may proceed.

General Reber. My brother retired from the Department of State, and—

Senator McCarthy. May I interrupt, Mr. Chairman?

Senator Mundt. General Reber should have an opportunity to make his statement.

Senator McCarthy. May I say, Mr. Chairman, if the general is going to—a point of order.

Senator MUNDT. One at a time.

Senator McCarthy. A point of order. I just want to make the record clear that if General Reber is going to go into the grounds upon which his brother was separated, if that is considered pertinent, then I feel that I have a right to cross-examine him upon that subject.

Senator Mundr. Counsel advises me, and I so advise General Reber, that if the general makes his statement, he will then be subject to

cross-examination.

Mr. Jenkins. Mr. Chairman, may I make this observation. General Reber, I think is in error in stating that a serious attack has been made on his brother. Questions were asked with reference to his brother, but no proof or statement has been introduced with respect to his brother.

Senator Jackson. Mr. Counsel, may I say that the statement, Mr. Chairman, has been made in this room and is apparent to millions of Americans, that General Reber's brother was dismissed as a security

risk

Mr. Jenkins. If such a statement were made, it was highly improper and it was ruled out as being incompetent and the Senator was only permitted to examine or cross-examine the witness. Now, if the committee feels that those questions carry with them such serious implications as to leave the witness' brother under a cloud, then in all fairness to the witness, while it is not strictly relevant or proper, he should be permitted to clear his brother's name.

I withdraw any objection I have interposed to it.

Senator Jackson. I want to state in the record that the statement cannot be stricken from all of the newspapers tonight, or from the television audience, and radio audience, and I think in fairness he should be given the opportunity to answer the statement limited to that charge that his brother was dismissed as a security risk.

Senator McCarthy. Mr. Chairman? Senator Mundt. Senator McCarthy?

Senator McCarthy. Mr. Chairman, I am not concerned with General Reber's brother. I asked the question on the basis of motive. But if the General now denies that the brother was allowed or forced to resign because of security reasons, if the committee thinks that is

pertinent, then I feel that I must demand the right—whether the demand is granted or not—I must demand the right to cross-examine the general on that subject and also produce witnesses from the State

Department on that subject.

I know that this may appear to be getting far afield. I merely asked the question first on the grounds of motive. But if Senator Jackson, who obviously does not know the facts, is going to accuse me of making an improper accusation, then we will let the Senator hear the testimony.

Senator Jackson. I am not accusing anyone of any improper accusa-

tion, Mr. Chairman. I want to keep the record straight.

Senator Mundt. Senator McClellan addressed the Chair first, I am

sorry.

Senator McClellan. Mr. Chairman, these extraneous accusations that are being made against people who are not parties to this proceeding, do carry over the air and on television and in the press. It has been stated here that the general's brother was dismissed as a security risk. I contend that he has a right on the same forum at this time to either confirm or deny, and that should end it, because it is not important to these proceedings, whether he is dismissed as a security risk or as a chicken thief or as a gentleman.

Senator McCarthy. Mr. Chairman? Senator Mundt. Senator McCarthy.

Senator McCarthy. Mr. Chairman, Senator McClellan has just stated that certain charges are carried over the air. My chief counsel, my chief of staff, and I have been accused of everything except murdering their great, great grandmother, over the air, and I maintain that I have the absolute duty, not the right but the duty, to show the motive of every witness. I would like to ask the Chair now whether or not, if he allows the General to attempt to tell us why his brother was separated from the State Department, whether I will have the right to cross-examine him in detail on that subject and bring forth witnesses on the matter.

Mr. Jenkins. Mr. Chairman? Senator Mundt. Counsel?

Mr. Jenkins. Mr. Chairman, the witness has been asked the question as to whether or not his brother was discharged by reason of being a poor security risk. His answer was in the negative. Senator McCarthy takes the position, apparently, that his brother was discharged as a result of an investigation by Senator McCarthy and his staff. It is my opinion that Senator McCarthy, or any other party or witnesses, is always entitled to show motive on the part of a witness. If Senator McCarthy is not satisfied with the answer of the witness in the negative, he is entitled to cross-examine for the purpose of showing a motive on the part of this witness.

That is my opinion.

Senator McCarthy. Mr. Chairman, I do not want to take any more of your time, but let me say this: When your counsel objected to my question, I withdrew it. My position now is that if the general is going to give us a statement about the reason for his brother's dismissal, gratuitously, then I should have the right to cross-examine him, period.

Senator MUNDT. The Chair has been advised by counsel, and you gentlemen of the committee have heard that, that if General Reber avails himself of the opportunity which is his, to talk about his brother's resignation or retirement, that Senator McCarthy should then have the right to cross-examine.

The Chair believes that the counsel has advised us wisely and will

so rule unless there is objection.

Senator McClellan. Mr. Chairman, I want to understand this a little further. Are we going now to try General Reber's brother? If so, I ask that a subpena be issued for him immediately. Let him be

here in his own defense.

Senator Jackson. Mr. Chairman, it seems to me that the statement that General Reber should make, or if he desires to make it, should be limited to answering the statement brought out in the question by Senator McCarthy, namely that his brother was separated from the State Department as a security risk. I think that he is entitled to answer to the extent of the statement made against his brother and not any further. Otherwise, we will go on indefinitely.

Mr. Jenkins. Then the question is, Is Senator McCarthy entitled to cross-examine him with respect to the truth or falsity of his answer,

Senator?

Senator Jackson. He certainly is. Mr. Jenkins. I agree with you.

Senator Jackson. But limited to answering the statement made against his brother.

Senator Mundt. Gentlemen, I believe now everybody understands

the procedure.

General Reber, you will try to limit your response to the question,

your statement.

Senator McCarthy. Mr. Chairman, just one-tenth of a second. I would suggest that you tell General Reber that as of now there is no question pending, that whatever he volunteers now is being volunteered gratuitously.

Senator Munder. General Reber has asked the opportunity to speak about his brother and we have granted it to him. You have heard the discussion, General, and I am sure you will govern yourself ac-

cordingly.

Senator Symington?

Senator Symington. Mr. Chairman, everybody else has interrupted General Reber. I would like to interrupt the hearing. I do not understand yet what General Reber's brother has to do with General Reber.

Mr. Jenkins. Senator, may I answer that?

Senator Symington. I would be glad if counsel will explain that to me. I would like to ask him if I am to understand that the statements made by General Reber with respect to telephone calls have been made properly or improperly because his brother was a security risk?

Mr. Jenkins. Senator Symington, this witness has given testimony against Mr. Cohn, we will say, Senator McCarthy and others. He has a brother. The motive of every witness is always a subject of an inquiry. It is the theory of Senator McCarthy that this witness' testimony is colored, or is perhaps untrue, because of a controversy that has heretofore existed between Senator McCarthy and this witness'

brother. That is the implication of the charge. That, in my opinion, makes it competent to pursue that line of inquiry.

Senator Symington. I am clear and I thank the counsel for his

explanation.

Senator Mundt. General Reber, you may proceed.

General Reber. I merely wanted to say that, as I understand my brother's case, he retired, as he is entitled to do by law upon reaching the age of 50. That is all I wanted to say. I know nothing about any security case involving him.

Senator Mundt. Very well.

Now, are there any other questions, or may we dismiss the witness? General Reber, you are dismissed, and may I say to you as an old friend that we apreciate the frank and cooperative manner in which you have handled your part of this discussion.

General Reber. Thank you very much, Mr. Chairman.

Senator McCarthy. What was that? Pardon me.

General Reber—may I say, Mr. Chairman, I have, I think, more respect for the acting chairman of this committee than almost any other Senator here. I think he is one of the most intelligent, one of the most honest, sincere Senators we have. May I say, however, that when he talks about the frank testimony of this witness, when the witness has said that he knew Mr. Frank Carr on the 8th of July, and when Frank Carr was head of the FBI Subservice Group in New York, and he later admits that he never knew Mr. Carr until he came before the committee in September, when he makes accusations, I just think the Chair should perhaps wait until the balance of the testimony is in before—

Senator Munder. May the Chair say that he appreciated the frank manner in which General Reber changed his testimony when he

found out his mistake.

Senator Jackson. Mr. Chairman, I just wanted to say this, that I requested this morning that we get for the record when Mr. Carr came with the committee. I can say of my own personal knowledge that Mr. Carr's appointment I know positively was announced on July 10. He appeared in the committee on the day the three Democrats left, and that was July 10.

Senator McCarthy. Let me correct the Senator, if I may. Senator Jackson. That is when the announcement was made.

Senator McCarthy. Let me correct the Senator, if I may, and I know any mistake he makes is a completely honest mistake. As far as I know, the announcement was made the date that Mr. Carr came to the committee; he was working for the FBI running the office—what do you call it—on security matters in New York, and had supervision of some hundred-odd people, on the night of the 15th. On July 16, the announcement was made, and he came with the committee. I know it is only a matter of 6 days, Senator, and I know any mistake you make there is a completely honest mistake.

Senator Jackson. Is it not a fact that when we met on July 10, Mr. Carr was present? He is here now and he will recall we were all there. The announcement was made that he would be the new

executive director of the staff.

Senator McCarthy. Senator, as far as I know, as I say, I do not know whether 6 days would be too important, as far as I know,

there was no announcement made until the 16th. The point is, when General Reber said he knew him on the 8th, he was not here, he did not know him, and General Reber himself very honestly and frankly admits that he made a mistake. I do not accuse him of any misconduct. It is a mistake he could have very easily made. I think that he is making mistakes about other things. I think when further testimony appears he may admit that. But the point is the general was very honest about this this morning. He first said he knew Frank Carr on the 8th, and finally said he did not meet him until September 23. There is nothing as far as I know, General, that indicts you because of that. It is just a mistake of memory, and God knows we all make them.

Senator Jackson. I want the record to show, Mr. Chairman, that I can recall positively, by association of events, that Mr. Carr—and the minutes will so disclose it, I am sure—was before the committee on July 10, and whether a public announcement was made

later, I do not know.

Senator McCarthy. The Senator is in error, and that is not true. Senator Mund. The Chair suggests that this is something we

should be able to establish documentarily a little later.

Senator McCarthy. I think it is completely unimportant, but I want to make the point that what the Senator from Washington has said, Senator Jackson, is completely untrue—period. The record will show that.

Mr. Jenkins. Mr. Chairman, may I suggest that Senator McCarthy will have an opportunity to testify before this hearing shall have concluded, and then may give testimony with respect to that fact, and Senator Jackson will likewise have the same opportunity. I do not think that those statements made by either party are proper at this time.

Senator Symington. Now, Mr. Counsel, I would like to make this statement: Mr. Chairman, I do not know anything about the minutes, nor do I remember the day that I left the committee, but I do know that I met Mr. Carr at a meeting of the committee before the Democrats left the committee. Of that I am certain.

Mr. Jenkins. Those are questions of proof, subject to being established or disproved during the course of this hearing. And I might suggest that no party who has made any statement with reference to

that fact has been under oath.

Senator Mund. General Reber has advised the committee that he might be in error as to memory on that point, and we have accepted his testimony on that basis.

Thank you, General. You are dismissed.

Counsel will call the next witness.

Mr. Jenkins. Mr. Chairman, I desire to call a witness at this time whose testimony will be lengthy. I am advised that another witness whom I desired to put on this afternoon, by reason of the fact of prior commitments, may be compelled to be absent from the committee until 3:30. With the understanding that the witness I am now about to put on will be permitted to step aside at 3:30, I desire to call as the next witness Mr. Robert T. Stevens.

Senator Mundr. Before the Chair swears in the present witness, he would like to have the unanimous consent of the committee to comply

with the request of counsel. We will ask Mr. Stevens to step aside and put on this other witness and interrupt the testimony of Mr. Stevens, and then put Mr. Stevens back on the stand. Is there objection?

There is none.

Will you raise your right hand?

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Secretary Stevens. I do, so help me God. Senator Mundt. You may be seated.

The photographers may take their pictures now, and then there will be no more flashbulbs during the testimony.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY

Senator MUNDT. Mr. Stevens, do you have extra copies of your statement available for members of the committee? It will be helpful if you could have them circulated now before we start.

Mr. Jenkins. Mr. Chairman, there are only two questions I desire

to ask this witness prior to his reading a statement.

Will you please tell the committee your full name?

Secretary Stevens. Robert Tenbrook Stevens, S-t-e-v-e-n-s.

Mr. Jenkins. What official position do you hold with the United States Army?

Secretary Stevens. Secretary of the Army.

Mr. Jenkins. Mr. Stevens, have or have not you a prepared written statement which you desire to read to this committee prior to being questioned?

Secretary Stevens. I do have such a statement, sir.

Mr. Jenkins. You are asked to now read or state whether or not that is identically the same statement you submitted to Chairman Mundt and myself yesterday morning, some 24 hours ago?

Secretary Stevens. Identically, sir.

Mr. Jenkins. There have been no changes whatever made in that statement?

Secretary Stevens. None whatsoever.

Mr. Jenkins. You are requested to now read that statement, if it is the desire of yourself and your counsel, to the committee.

Secretary Stevens. I see.

Senator Mundt. You may proceed.

Secretary Stevens. And I understand that I will be interrupted at the time you will indicate; is that correct, sir?

Senator Mundt. You will be interrupted when the other witness

appears.

Secretary Stevens. All right.

Gentlemen of the committee, I am here today at the request of this

committee. You have my assurance of the fullest cooperation.

In order that we may all be quite clear as to just why this hearing has come about, it is necessary for me to refer at the outset to Pvt. G. David Schine, a former consultant of this committee. David Schine was eligible for the draft. Efforts were made by the chairman of this

committee, Senator Joseph R. McCarthy, and the subcommittee's chief counsel, Mr. Roy M. Cohn, to secure a commission for him. Mr. Schine was not qualified, and he was not commissioned. Selective service then drafted him. Subsequent efforts were made to seek preferential treatment for him after he was inducted.

Senator Mund. Pardon me, there is something wrong in the picture

gallery. Will you kindly stop that squeaking, whatever it is?

I am sorry; you may proceed.

Secretary Stevens. Over the past several months it became known that the Army was having its difficulties in regard to Private Schine. Several Senators and Congressmen requested information from the Army regarding the Schine matter.

Finally, the Secretary of Defense received the following letter from

Senator Charles E. Potter, dated March 8:

I have received many inquiries concerning external pressure for preferential treatment in behalf of Pvt. G. David Schine, a former member of the staff of the Senate Permanent Subcommittee on Investigations and now a member of the Armed Forces. Fragmentary information which has reached me has been most disturbing.

I request the following information as a member of the above-named sub-

committee

1. Has Private Schine received any preferential treatment whatsoever since

becoming a member of the Armed Forces?

2. Has any effort whatsoever been made by any source affiliated with the abovenamed subcommittee to exert pressure for the purpose of gaining preferential treatment for Private Schine?

3. If such intercession has been made, please advise me fully of the source,

type, and date of such efforts.

If there is no foundation for the information coming to my attention, it is no more than proper and fair that Private Schine as well as the subcommittee be so informed. In the event there is substance to the charges, however, the committee should have in its possession all of the facts upon which it may base immediate action.

On March 10, the Department of Defense replied to Senator Potter, giving him the answers to his questions in the form of a chronology

covering the period from July 8, 1953, to mid-February 1954.

I wish to make clear here that this statement was furnished only to members of the committee and to Members of the Congress who had specifically asked for it. It was not made public by the Army. However, it became public information and Senator McCarthy attacked it.

I am here to verify the answers to Senator Potter's questions.

The chronology of March 10 discloses what you may find to be substantial and undue efforts on the part of Senator McCarthy and members of his staff to have preferential treatment given to G. David Schine by the Army. The Senator and his staff claim that no such pressure was exerted. They dealt with the matter by making charges against Department of Army personnel and by attempting to draw attention to situations either totally irrelevant or only remotely relevent to the Schine matter.

In this statement, I shall deal first with the issue raised by Senator Potter, those pressures which were exerted on the Army on behalf of Schine. Second, I shall comment briefly on other matters raised by

Senator McCarthy in this case.

Before getting into the Schine story I want to make two general comments.

First, it is my responsibility to speak for the Army. The Army is about a million and a half men and women, in posts across this country and around the world, on active duty and in the National Guard and Organized Reserves, plus hundreds of thousands of loyal and faithful civil servants.

Senator McCarthy. Mr. Chairman, a point of order. Senator Mundt. Senator McCarthy has a point of order.

Senator McCarthy. Mr. Stevens is not speaking for the Army. He is speaking for Mr. Stevens, for Mr. Adams, and Mr. Hensel. The committee did not make the Army a party to this controversy, and I think it is highly improper to try to make the Army a party.

Mr. Stevens can only speak for himself.

Secretary Stevens. May I answer, Mr. Chairman?

Senator Mundt. We will hear from counsel first.

Mr. Jenkins. Nothing Mr. Stevens has said indicates that the Army is a party to this controversy. It is entirely proper, and indeed I asked Mr. Stevens what his official connection with the Army is, his answer being that he was the Secretary. He is stating here facts with reference to the Army by reason of the fact that he is Secretary to the Army.

I wish to call the chairman's attention to this further fact: That when this statement was filed with the chairman, the chairman and Senator McClellan and myself went over it thoroughly and in detail and decided that it, in its entirety, was a relevant and proper state-

ment to be read to this committee.

Senator McCarthy. Mr. Chairman? Senator Mundt. Senator McCarthy.

Senator McCarthy. May I say that, regardless of what the Chair and Mr. McClellan decided, when Mr. Stevens says "It is my responsibility to speak for the Army," he is not speaking for the Army here. All we were investigating has been some Communists in the Army, a very small percentage, I would say much less than 1 percent. And when the Secretary says that, in effect "I am speaking for the Army," he is putting the 99.9 percent of good, honorable, loyal men in the Army into the position of trying to oppose the exposure of Communists in the Army.

I think it should be made clear at the outset, so we need not waste time on it, hour after hour, that Mr. Stevens is speaking for Mr. Stevens and those who are speaking through him; when Mr. Adams speaks, he is speaking for Mr. Adams and those who are speaking

through him, and likewise Mr. Hensel.

I may say I resent very, very much this attempt to connect the great American Army with this attempt to sabotage the efforts of this

committee's investigation into communism.

Mr. Jenkins. I again say, Mr. Chairman, there is nothing in this statement from which an inference can be drawn that the Army has become a party in interest to this controversy. We are in accord with the Senator, that the parties in interest are Mr. Stevens, Mr. Adams, and Mr. Hensel.

Senator McCarthy. If that is understood, then I have no objection. Senator Mund. That is definitely understood, and I think the Secretary for the Army, frequently the Secretary speaks for the Army on appropriations and matters that he might want to speak about.

For the purposes of this inquiry, he speaks for himself, for Mr.

Adams and for Mr. Hensel.

Secretary Stevens. May I say, sir, in this regard, that I was appointed Secretary of the Army by the Commander in Chief, that I was confirmed by the Senate of the United States, that I work as a member of the team in the Department of Defense under Secretary Wilson, that it is my responsibility, as I have said here, to speak for the Army.

Mr. Jenkins. Mr. Stevens, may I remind you that the chairman has ruled that you may read your statement. Arguments will be made on

it at the conclusions of this hearing.

I suggest that in order to conserve time Mr. Stevens proceed with the reading of his statement.

Senator MUNDT. Your statement has been ruled in order, Mr.

Stevens. You may proceed.

Secretary Stevens. It is many millions of officers, noncommissioned officers and men who have in the past worn its uniform. It is millions of others who will one day wear the same uniform. The Army is a great and nonexpendable institution, a proud legend, a common force against common dangers. The valor, integrity, loyalty, and capability of the Army are beyond question. It is serving the country today, as it has throughout our history, in a dependable and devoted manner.

I speak for the ${f Armv}$ today out of a pride and confidence that grows greater every day I spend on the job. There are personal reasons, too, for my pride in the Army and for my resentment of any slur against it or any of the armed services. The 2 oldest of our 4 sons enlisted in the Navy during World War II. Our third son enlisted in 1952 as a private and is now a corporal with the Seventh Army in Europe. He has been overseas 21 months.

Second, I want to affirm here my full belief in the right of Congress to investigate—and that means scrutinizing the activities of the Army or any other department of the executive branch of the Government. The conscientious exercise of this obligation is one of the checks, contemplated by the Constitution, against the possibility of unlimited executive authority by the executive branch of the Government.

As a member of the executive branch, it is my duty to do everything I properly can to help this and other committees of Congress. I have such a profound regard for elective office in this country that it comes very easily for me to cooperate with the Senators, the Representatives, and the committees of Congress.

Let me now turn to the point at issue and first summarize the

Schine story. I have been informed that-

1. From mid-July of last year until March 1 of this year, David Schine was discussed between one branch or other of the Department of the Army and Senator McCarthy or members of his staff in more than 65 telephone calls.

2. During the same period, this matter was discussed at approximately 19 meetings between Army personnel and Senator McCarthy

or members of his staff.

3. Requests made on Schine's behalf ranged from several for a direct commission before he was inducted into the Army to many for special assignments, relief from routine duties such as KP, extra time off, and

special visitor privileges.

4. From November 10, 1953, to January 16, 1954, Schine, by then a private in the Army, obtained 15 passes from the post. By way of comparison, the majority of other newly inducted personnel obtained

three passes during the same period.

The history of the Schine case begins, where the Army is concerned, on July 8, 1953. I had been informed that Maj. Gen. Miles Reber, then chief of the Army's legislative liaison office, had been called to Senator McCarthy's office. Senator McCarthy asked him if a direct commission could be obtained for Schine, then a member of the Senator's staff. The Senator stated that speed was desirable since Schine might soon be drafted. Roy M. Cohn, chief counsel on the Senator's staff, was present and reiterated the need for speed.

The next day General Reber called Cohn and told him that in order for Schine to be considered for a commission he would have to come in and fill out a formal application, which he did. On July 15, Schine, himself, talked to Lt. Col. Fred J. Bremerman in the Army office of legislative liaison and asked whether he could come over to the Pentagon that afternoon and "hold up his hand," to be sworn in for his

commission.

Mr. Jenkins. Pardon me, Mr. Stevens.

Mr. Chairman, at this time the other witness is present in the committee room.

Senator Mundt. Mr. Secretary, we will have you back as soon as we finish with the next witness and counsel will call the next witness who has just come into the committee room.

Mr. Jenkins. Will Gen. Walter B. Smith please come to the witness

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Senator Mund. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

General Smith. I do.

Senator Mundt. You may be seated.

All right, the flash-bulb period is over and, counsel, you may proceed.

TESTIMONY OF GEN. WALTER B. SMITH

Mr. Jenkins. Mr. Chairman and General Smith, I desire to make

this statement before the examination of General Smith.

In view of the fact that General Smith is engaged in many pressing matters vital to the Nation, I wish to announce that I will make my examination and any cross-examination as short and as much to the point as possible, and it is requested that the members of the committee and those interested do likewise to the end that his testimony may be concluded this afternoon, it being my understanding that there is a possibility that he will be called to a foreign country perhaps tomorrow.

For the benefit of the record, will you please state your full name? General Smith. Walter B. Smith, general, United States Army,

retired, presently Under Secretary of State.

Mr. Jenkins. General Smith, were you retired as of July 1953 from the Army?

General Smith. I was.

Mr. Jenkins. What position did you hold as of July 1953?

General Smith. Under Secretary of State.

Mr. Jenkins. You are personally acquainted with Senator McCarthy?

General Smith. I am.

Mr. Jenkins. I will ask you, General Smith, first of all, whether or not Senator McCarthy in person, by telephone call or otherwise, ever contacted you with reference to one G. David Schine?

General SMITH. Not directly, to my recollection.

Mr. Jenkins. Please state whether or not counsel for Senator McCarthy, Mr. Roy Cohn, or any member of Senator McCarthy's staff did contact you with reference to Schine.

General Smith. Mr. Cohn did. Mr. Jenkins. When was that?

General Smith, pardon me, I have been requested to ask you to identify the gentleman sitting on your right and the gentleman sitting on your left.

General Smith. On my right is Assistant Secretary Thruston Mor-

ton, and on my left is Mr. Scott McLeod.

Mr. Jenkins. Now you may proceed and refer to any document you desire to refer to for the purpose of refreshing your recollection, and without asking you specific questions I will ask you to state chronologically when the first contact was made with you by Mr. Cohn or anyone on Senator McCarthy's staff with reference to Schine; what was said, and so on down the line.

General Smith. Mr. Chairman, I can do this best by reading the carbon copy of a letter which I sent to the Secretary of Defense some days ago, and if I may do so I will read it, which completes my knowl-

edge of the incident.

May I do so?

Senator Mundr. If there is no objection, you may.

Mr. Jenkins. First, General Smith, are you about to read from a letter you have written with reference to this incident?

General SMITH. I am, sir.

Mr. Jenkins. When was the letter written, may we ask?

General Smith. On April 10, 1954.

Mr. Jenkins. State whether or not in that letter you undertake to the best of your ability to recount the events of July 31, 1953, and immediately subsequent and immediately prior thereto.

General Smith. I do.

Mr. Jenkins. Under what circumstances was this letter of April 10, 1954, written?

General Smith. It will be self-explanatory, I think, Mr. Counsel,

if you will let me read it.

Senator Mundt. Would you pull the microphone a little closer to you. It is hard to hear your answers.

General SMITH. I think the letter will explain it, I say.

Senator Mundt. You may proceed.

General Smith (reading):

DEAR Mr. Secretary: At the request of the Secretary of the Army, I transmit to the Department of Defense the following, which is my recollection of the principal points in a telephone conversation and interview with Mr. Roy Cohn, of the staff of the Senate Committee on Government Operations, and a telephone

conversation with Gen. John E. Hull, Vice Chief of Staff of the Army, which

took place on July 31 and August 1, 1953.

Mr. Cohn telephoned me on the afternoon of July 31. He stated that Mr David Schine, of the committee staff, was about to be drafted, and that he (Mr. Cohn) and Senator McCarthy felt that he should have a direct commission, for which they considered him qualified by education and by reason of the fact that during the last war he had, as a civilian employee, held the substantive or corresponding rank of lieutenant. I asked Mr. Cohn why he came to me, as I was no longer in active military service. He replied that the Army authorities had not been cooperative, that General Reber had promised to arrange for a commission for Mr. Schine and had not done so, that I knew all the senior officers in the Pentagon and would know who to talk to. I answered that I would phone General Hull and find out what the possibilities were, and gave Mr. Cohn an appointment to see me in my office the next day.

I phoned General Hull about 4:30 on July 31. He informed me that direct commissions were being issued only in a few of the technical services, such as the Medical and Judge Advocate General's Departments, that Mr. Schine's qualifications did not justify his direct commissioning in any of these branches. General Hull said that the opportunity to qualify for officer candidate training was open to Mr. Schine as it was to any other citizen drafted into the Armed Forces, and that the Secretary of the Army, who was aware of all the facts in the case, had directed that the treatment accorded and the opportunities afforded Mr. Schine after his entry into the military service should be the same as for

any other American citizen—no more and no less.

Mr. Cohn came to my office at 11:20 a.m., on August 1, 1953. I told him the substance of General Hull's reply to my inquiry. He said that for Mr. Schine to proceed through basic training and officer candidate school would increase his time of military service and absence from his duties with the committee, which needed him. I asked if Mr. Schine had had ROTC, and if he had attempted to obtain a commission in any other branch of the armed services. Mr. Cohn replied that Mr. Schine had no ROTC training and that there appeared to be no chance of a commission in one of the other branches except at the expense of a protracted term of service. Mr. Cohn then asked if the CIA could not arrange to have Mr. Schine commissioned, as he had investigative experience. I replied that CIA drew a few commissioned personnel by detail from the armed services, but gave them additional training and required a longer tour of duty. However, I offered to telephone Mr. Allen Dulles, Director of Central Intelligence, and ask about the possibilities. Mr. Cohn said that I need not do this The CIA, he said, was too juicy a subject for future investigation, and it would not be right to ask them to get Mr. Schine commissioned, and then investigate the organization later.

Very sincerely,

(Signed) WALTER B. SMITH.

Mr. Jenkins. State whether or not, General Smith, that letter embraces all of the facts that you remember with reference to those two conversations with Mr. Cohn?

General Smith. It does, sir.

Mr. Jenkins. I will ask you whether or not, on those two occasions or on either of those occasions, you considered that Mr. Cohn was acting as an individual or was acting officially as counsel for the McCarthy investigating committee?

General Smith. I assumed he was acting in both capacities, as the counsel for the McCarthy committee and officially as the friend of

the young man for whom he was seeking a commission.

Mr. Jenkins. How long were you actively connected with the Army?

General Smith. Forty-one years, sir.

Mr. Jenkins. State whether or not, during all of your years of experience with the Army you have been contacted from time to time by United States Senators, Congressmen, administrative officials, and others, with reference to procuring or causing to be given a commission to an inductee, or a member of the Armed Forces.

General SMITH. I have been contacted many, many times, on a number of occasions, by Members of the Congress.

Mr. Jenkins. Did you regard these requests by Mr. Cohn on behalf

of Schine as extraordinary or unusual or improper?

General SMITH. I did not.

Mr. Jenkins. State whether or not on either of those occasions you felt that Mr. Cohn was being too persistent or was trying to high pressure anyone.

General SMITH. Not me, sir.

Mr. Jenkins. Did Mr. Cohn advise you that Schine was an experienced consultant to the staff of Senator McCarthy, with respect to especially the investigation of infiltration of Communists and those who were poor security risks, in the Army and other departments of the Government?

General Smith. Not to my recollection, sir. He simply mentioned, as I recall, that Mr. Cohn, as I knew had investigative experience—

or that Mr. Schine had investigative experience.

Mr. Jenkins. Mr. Schine had investigative experience along the lines I have mentioned, General, is what you mean?

General Smith. That is what I understood it to be, sir.

Mr. Jenkins. I will ask you whether or not that is one of the reasons assigned by Mr. Cohn at that time in asking that you intercede on behalf of Schine.

General Smith. Not specifically.

Mr. Jenkins. Had you heard at that time, General Smith, that an investigation had been planned of the alleged infiltration of Communists at Fort Monmouth?

General Smith. I have read a good deal about the alleged infiltration of Communists at Fort Monmouth, but my recollection does not place the two together and I do not know the dates.

Mr. Jenkins. You, of course, would not know when Senator Mc-Carthy or his staff laid their plans to make that investigation, I take it?

General Smith. I would not, sir.

Mr. Jenkins. You have no recollection now that at that time that investigation was either actually underway or was on a preferential list to be carried into effect?

General SMITH. I did not.

Mr. Jenkins. I take it, General, you now know that Senator McCarthy and his staff did investigate Fort Monmouth?

General Smith. I do.

Mr. Jenkins. It was given wide newspaper publicity and was a matter of interest to you in the State Department as well as every other citizen in this country; that is correct, is it not?

General Smith. That is correct.

Mr. Jenkins. Do you recall that that investigation resulted in some 33 civilian employees at Fort Monmouth being either discharged or dismissed?

General SMITH. I do not recall the exact results, Mr. Counsel. I

know that some were dismissed and some were suspended, yes.

Mr. Jenkins. General Smith, as an Army man and occupying your present position, I will ask you if it isn't a fact that you regard the work of investigating the infiltration of poor security risks in the

Army as extremely important and having top priority rating in this

country.

General SMITH. I regard the investigation of poor security risks anywhere, and especially in Government, as very important. With regard to priority rating, you are asking me to rate it by comparison with other events now taking place, and I am not competent to do that.

Mr. Jenkins. Would you especially regard it as important at Fort Monmouth in view of the fact that Fort Monmouth is an Army signal

installation?

General Smith. I paid very little attention to it. I would not regard it as more important there than I would anywhere else in any

other sensitive place.

Mr. Jenkins. Do you know, General Smith, as a matter of fact, that the defenses being set up by this country against atomic and hydrogen bomb warfare are centered in radar plants and other plants at Fort Monmouth?

General SMITH. I do not.

Mr. Jenkins. You do not know that as a fact?

General Smith. That doesn't mean that they are not. I simply do not know it.

Mr. Jenkins. One other question or two other questions. I believe you say that at no time did Senator McCarthy ever contact you with

reference to G. David Schine?

General SMITH. I am speaking from very long-term recollection. It is possible. I talked to Senator McCarthy about another matter the day before, and it is possible that on that occasion the Senator may have asked me to give an appointment to Mr. Cohn. But I do not recall that specifically he mentioned the subject or that he mentioned Mr. Schine in connection therewith, and I am not certain that on that occasion he asked me to receive Mr. Cohn.

Mr. Jenkins. Nor do you state it as a fact?

General SMITH. I do not.

Mr. Jenkins. Then eliminating Senator McCarthy, your only contacts were with Mr. Cohn?

General Smith. Yes, sir.

Mr. Jenkins. This final question: Do you regard anything said by Mr. Cohn to you on either of the two occasions you mentioned as being improper?

General Smith. I do not.

Mr. Jenkins. That is all, Mr. Chairman.

Senator Mund. The last question asked by the counsel was the first and only question that the chairman desired to ask. So I yield to Senator McClellan.

Senator McClellan. There is nothing improper in the individual himself or any Member of Congress, any other friend, requesting a direct commission for an individual in the armed services, is there?

General Smith. If he believes that the individual is qualified, willing to bear arms, and to serve, there is not. I have done so myself.

Senator McClellan. So to make such a request is not within itself asking for preferential consideration, is it?

General Smith. It is not.

Senator McClellan. If, however, it becomes established that the individual does not possess the requisite qualifications and then one

insists that he be granted a direct commission, would you regard that then as asking for a preferential consideration?

General Smith. As an Army officer, I would, but no such request

has been made to me.

Senator McClellan. I understand there has not. Have any other requests been made to you since you have been Under Secretary of State and since you have left the Army to assist in procuring a direct commission for anyone else?

General Smith. Yes.

Senator McClellan. By Members of Congress?

General Smith. No.

Senator McClellan. How many; just in general terms? General Smith. I cannot recall. Possibly two.

Senator McClellan. Possibly two. That is all, Mr. Chairman.

Senator Mundt. Senator Dirksen.

Senator Dirksen. Mr. Chairman, within the limits of recollection, I think General Smith's statement speaks for itself. I see no reason why I should refer any questions that might elicit opinions that might be only remotely approximate to what is before us. Consequently, I will let the statement stand for itself. I have no questions.

Senator Mundt. Senator Jackson. Senator Jackson. No questions. Senator Mundt. Senator Potter?

Senator Potter. The only question I have, General Smith, is, when you contacted the Department of Defense, was Mr. Cohn in your office at the time, or did you contact the Army or the Department of Defense and then report back to Mr. Cohn as to the results of your intercession?

General Smith. As I recall it, I contacted the Department of Defense, or, rather, General Hull, the Vice Chief of Staff of the Army, immediately after my telephone call with Mr. Cohn.

Senator Potter. Did you notify Mr. Cohn as to the information

that you secured from the Army?

General SMITH. On my recollection, not until he called on me the next day.

Senator Potter. That is all.

Senator Mundt. Senator Symington. Senator Symington. I have no questions. Senator Mundt. Senator Dworshak.

Senator Dworshak. No questions.

Senator Mundt. Mr. Welch, I do not see you from where I sit; do you have questions?

Mr. Welch. None.

Senator Mundt. Senator McCarthy.

Senator McCarthy. Mr. Chairman, I think it would be a great imposition for me to keep the general here longer questioning him. I think the picture is very clear. He came here and very frankly stated that he felt that no improper pressure was applied to him. In fact it is very difficult to apply pressure to the general. I think he has very many more important things to do than to discuss a private in the Army who has been promoted consistently until he is still a private. I have no questions of the general and I want to thank the general. Mr. Cohn. I have no questions of the general.

Senator Mundt. General Smith, you do not look very happy sitting there, and I know we interrupted a busy day for you.

Mr. Jenkins. I have one other question.

General Smith, you have stated that you do not regard these two requests by Mr. Cohn as being out of the ordinary or suggesting anything improper. May I ask this: Whether or not in your opinion the significance of those two requests made by Mr. Cohn and detailed by you may be properly evaluated as two isolated instances, or whether or not they are to be evaluated in the light of other and succeeding events, or a chain of events.

General SMITH. Mr. Chairman, I am not a person to evaluate those

things. I am only able to testify what I know.

Mr. Jenkins. You may stand aside.

Senator MUNDT. Thank you very much. We regret to have to call you up here but this is an unpleasant business which is interrupting a lot of things for a lot of busy people.

General Smith. Thank you very much.

Senator Mundt. Mr. Stevens?

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Senator Mundt. You may proceed from the statement from the

point you left off. Thank you very much for stepping aside.

Secretary STEVENS. May I start at the beginning of the paragraph. The next day General Reber called Cohn and told him that in order for Schine to be considered for a commission he would have to come in and fill out a formal application, which he did. On July 15, Schine himself talked to Lt. Col. Fred J. Bremerman in the Army Office of Legislative Liaison and asked whether he could come over to the Pentagon that afternoon and "hold up his hand," to be sworn in for his commission. Schine was told he would have to complete the application which he had previously begun but not completed. This he did. Consideration was given to his application. He was turned down as not qualified, and was so notified by letter on July 30.

Toward the end of that same month, Cohn asked General Reber to explore the possibility of obtaining a Reserve commission for Schine in either the Air Force or the Navy. These explorations were undertaken with negative results. Cohn was informed. General Reber is available to give such further information in this regard as the com-

mittee may wish.

General Reber, of course, has testified.

On July 31, Cohn telephoned Gen. Walter B. Smith, Under Secretary of State, and made an appointment to see him. Cohn stated that he (Cohn) and Senator McCarthy felt that Schine should have a direct commission. He stated that the Army authorities had not been cooperative and that General Reber had failed to obtain a commission for Schine. General Smith passed this information along to Gen. John E. Hull, then Vice Chief of Staff.

The following day, General Smith was advised that Schine was not qualified for a direct commission. He was further advised that the Secretary of the Army had directed that the treatment accorded and the opportunities afforded to Schine, if he entered the Army,

would be the same as for any other American—no more, no less. General Smith passed this information along to Cohn when he called

on him later that day.

On September 16, I talked with Senator McCarthy at the Waldorf Towers in New York, where he was visiting in the Schine family's apartment. Our meeting was to discuss Army matters then under investigation by the Senator's committee.

It was on this occasion, as I recollect, that the Senator asked me for a commission for Schine. I reminded Senator McCarthy that, as he knew, Schine's application had been turned down. I told him

that the Army was commissioning very few people.

In order that there may be no misunderstanding as to whether or not Senator McCarthy did in fact take up with me the matter of a commission for David Schine, I quote in full a telegram from him to me dated March 12:

In view of news stories this morning re Cohn and Schine. Would appreciate if you would make it clear to the press that the only time you and I ever discussed the subject of a commission for David Schine was in his presence, at which time I urged and you fully agreed that his case had to be treated the same as the case of any other draftee and that we agreed that any other handling of the case in view of the investigation of the Army would be extremely bad for the committee and the Army and that David Schine was present and fully agreed with us in the matter.

The important thing to note is that he admits having taken up

with me the matter of a commission for Schine.

The Senator asked me at the September 16 meeting in the Schine apartment if the Army could use what he called "Schine's special qualifications." He suggested a direct assignment such as special assistant to me or to the Army's Intelligence Division with particular reference to Communists. I told him that such assignments were not

possible for young men of draft age.

On October 2, 1953, Cohn and Francis Carr, of the Senator's staff, conferred with me in my office for approximately 35 minutes. This meeting was to discuss the forthcoming investigation at Fort Monmouth. I informed them that the Army would assist in every way with the investigation. In the presence of these men, I telephoned Maj. Gen. Kirke B. Lawton, commanding general at Fort Monmouth, and instructed him to give every assistance to the committee, subject, of course, to the prohibitions relating to disclosure of loyalty-security information as set forth in Presidential directives.

During this discussion, as Senator McCarthy has confirmed in his memorandum of October 2, which he made public March 12, the subject of Schine's induction into the Army came up. Cohn asked me to assign Schine to the New York City area when inducted. He stated that the committee must have Schine available to complete committee work with which Schine was familiar. He said that the Army certainly must have several places in the city of New York area where Schine could perform Army work without the necessity of taking basic training. I said it would be impossible to excuse Schine from basic training.

Mr. John G. Adams, of Sioux Falls, S. Dak., became counselor of the Department of the Army on October 1, 1953. One of the things that appealed to me in appointing Mr. Adams was his excellent war record. He served overseas for 34 months during World War II, starting with the North African infantry landings. He had also had wide experience with the legislative matters, first as chief clerk of the Senate Armed Services Committee during the 80th Congress and later as head of the Legislative Division of the Office of the Secretary of Defense. I charged him, as department counselor, with the primary duty of liasion between the Army and this committee and directed him to cooperate with the committee. I thereafter received much of my information about the activities of the committee from him.

Mr. Adams will tell you at first-hand what he knows about the matter at issue here. I shall mention some of the incidents he reported

o me.

Mr. Adams advised me in mid-October that Senator McCarthy had become irritated with Schine because of his continuous efforts to have his picture taken along with the Senator and others at the hearings in New York. Senator McCarthy stated that Schine was useless to the committee, was interested in personal publicity, and was becoming a pest. The Senator hoped that Schine would be drafted and that nothing would occur to stop the draft procedure. He asked particularly that Cohn not be made aware of his attitude toward Schine.

On October 27, Cohn called me from New York, and told me that Schine was due for induction on November 3. He expressed two ideas of his own as to Schine's future status. One was a furlough at the outset of Schine's induction into the Army. Cohn said he had been talking with General Renfrow, Deputy Director of Selective Service, who, he said, had agreed that a 2-week furlough might be possible. The other idea was the possibility of a job at the Central Intelligence Agency provided CIA could pick him up before the draft got him.

After talking with Mr. Allen Dulles, Director of CIA, the following morning, I called Cohn and told him there was no chance of Schine's obtaining a job in CIA. I told Cohn that Schine could be assigned to temporary duty at First Army in New York prior to starting his regular basic training, if actually needed for committee work. I told him I could not extend the period. He said he wanted to

talk with Senator McCarthy about this.

On October 31, Cohn phoned me to say that this arrangement was satisfactory. I gave instructions to effect the necessary details. Schine was inducted as a private in the Army on November 3 and went on temporary duty that day with First Army in New York.

Almost at the same time, Senator McCarthy asked Mr. Adams to have Schine's temporary duty in New York cancelled because he thought that the newspaper men might pick up the story and this might prove embarrassing to Senator McCarthy. Upon learning this, Cohn requested that the temporary duty be extended over the first

weekend of this arrangement, which was done.

On November 3, I paid an official visit to Fort Dix. On that day I advised Maj. Gen. C. E. Ryan, Commanding General, that he would shortly receive, as an inductee, a former staff member of this committee who might turn out to be a problem for him. I told General Ryan that Schine should be made available upon the request of the committee staff over weekends when required to complete Schine's work for the committee and provided it did not interfere with his training.

On November 6, Senator McCarthy, Cohn, and Carr lunched with Mr. Adams and me in my office. The Senator's own memorandum of November 6, published on March 12, states, and I quote:

* * * we told him (Stevens) we were jammed up trying to get out our reports to file, and with the Monmouth investigation and that David Schine was about to enter the Army and had much information and material on the reports and investigation that we could not get along without. Mr. Stevens said that he would arrange for Dave to complete the work over weekends and after training hours. * * *

The next day, on November 7, Senator McCarthy called to ask me not to assign Private Schine back to his committee. I never had any intention of assigning Private Schine back to his committee, but only releasing him for committee business at times which did not interfere with his military training. In this conversation the Senator intimated that the committee had little actual use for Schine's services.

I call your attention to the inconsistency between this statement and the statement made to me the day before, as confirmed by the memorandum from which I have just read. I do not account for this inconsistency. I simply recite the facts. My order to General Ryan was that Private Schine was to be released only for committee work when it would not effect his training. Under the circumstances, I had to trust Senator McCarthy and his staff not to abuse this arrangement.

I may say here that, however, had I known that the order given to General Ryan in my effort to assist this committee would be abused by the staff of the committee to the extent that it was, the order would never have been issued. General Ryan is here and is prepared to relate the difficulties my order caused him as the commanding officer

On December 10, at Senator McCarthy's request, I lunched with Senator McCarthy, Carr, and Mr. Adams in Washington at the Carroll Arms Hotel. Senator McCarthy asked whether it would be possible to assign Private Schine to New York at the end of 8 weeks of training. He said he knew of cases where only 8 weeks of training was required. He suggested that Schine might be assigned to check textbooks at West Point. I told the Senator that Private Schine would have to complete his full 16 weeks of basic training.

Senator McCarthy wrote me a letter dated December 22, 1953, which he has made public, purporting to disclaim any effort on behalf of

Private Schine. I hand you a copy of this letter.

Senator Mundt. Would you read it into the record, please, Mr. Stevens, so we will all have the same information before us?

Secretary Stevens. The letter reads as follows-

Senator Mundt. Do you have extra copies available for the committee?

Secretary Stevens. We have them.

Senator Munder. Would you send them to the table, please, so we can follow the reading?

Secretary Stevens. Do you want me to read this, Senator?

Senator Mundr. In just a minute. We would like to have the letter here, if we could.

You may begin the reading.

Secretary Stevens. Of the letter, Senator?

Senator Mundt. Yes.

Secretary Stevens (reading):

Dear Bob: I have heard rumors to the effect that some of the members of my staff have intervened with your Department in behalf of a former staff consultant, David Schine. This they, of course, have a right to do, as individuals. However, as I have told you a number of times, I have an unbreakable rule that neither I nor anyone in my behalf shall ever attempt to interfere with or influence

the Army in its assignments, promotions, et cetera.

I have discussed this matter with members of my staff, some of whom feel very strongly that in view of the fact that Mr. Schine is over 26 years of age, attempted to enlist in the Army when he was 18, was refused because of a slipped disk in his back, and thereupon enlisted in the merchant marine, he would never have been drafted except that the extreme left-wing writers, such as Pearson, et al., started screaming about his case because he was a consultant for our committee.

I realize that the decision of the draft board to reopen his case obviously was unknown to you and far below your level of operations. While I am inclined to agree that Mr. Schine would never have been drafted except because of the fact that he worked for my committee, I want to make it clear at this time that no one has any authority to request any consideration for Mr. Schine other than

what other draftees get.

I think it is extremely important that this be made very clear, in view of the present investigation which our committee is conducting of Communist infiltration of the military under the Truman-Acheson regime. Let me repeat what I have said to you before: The course of this investigation will in absolutely no way be influenced by the Army's handling of the case of any individual, regardless of whether he worked for my committee or not.

With kindest regards, I am

Sincerely yours,

JOE MCCARTHY.

The letter just read indicates that Senator McCarthy did not think Private Schine would have been drafted except for the fact that he worked for the Senator's committee which was investigating the

Army.

Let me make it clear that the Selective Service System and the draft boards are of course wholly independent of the Army. I am told, however, that the draft boards which at one time or another had Schine's case had considered him eligible for the draft ever since the beginning of the Korean War in 1950. This was 2½ years before he went to work for Senator McCarthy and 3 years before the Senator began to investigate the Army. The statements in Senator McCarthy's letter of December 22 are also in striking contrast with the numerous efforts made both before and after that day to obtain preferential treatment and special assignments for Private Schine, to say nothing of the attempts to obtain a direct commission for him.

Toward the end of December, Mr. Adams advised me that he had checked with the Adjutant General's Office, and that Schine was headed for the Provost Marshal General Center at Camp Gordon, Ga. Mr. Adams mentioned that Private Schine might possibly qualify for the Criminal Investigation School which is located there. Cohn, on being so advised, asked Mr. Adams many questions with reference to Camp Gordon, such as the length of time Private Schine would be required to undergo training there, whether he would have to live on the post, the points of contact to be used in order to arrange for making Schine available for committee business if necessary, and the likelihood of Schine's going overseas at the end of his tour.

Mr. Adams told Cohn that the chances were that Private Schine would face overseas duty after completing his tour at Camp Gordon, just like every other boy. Mr. Adams said Cohn thereupon stated

that, if this occurred, it would wreck the Army and I would be through

as Secretary.

On January 14, 3 days before I departed for the Far East, I met Senator McCarthy at the Carroll Arms Hotel here in Washington and told him of my forthcoming trip. After about a half hour's dis-

cussion, a friend of his joined us.

The question of Private Schine's length of service at Camp Gordon was discussed. So was the Criminal Investigation School. I said Private Schine could apply for the school and it would depend on his record and qualifications whether or not he would be accepted. Four or five times during the conversation Senator McCarthy brought up the possibility of obtaining a New York assignment for Schine. I reminded the Senator that in his letter to me of December 22 he had stated that he had an unbreakable rule that he would never attempt to interfere with or influence the Army in its assignments. The Senator dropped the subject.

I left for the Far East on January 17, and when I returned Private Schine had been transferred to Camp Gordon, Ga., to complete his basic training. The efforts to obtain special treatment for Private Schine from Mr. Adams continued through the end of the month. I may say that during my tenure as Secretary of the Army, there is no record that matches this persistent, tireless effort to obtain special

consideration and privileges for this man.

Now, I turn to other events that are related to the Schine story. President-elect Eisenhower asked me to become Secretary of the Army in mid-December, 1952. I was sworn in at the White House on February 4, 1953.

On my very first day in office, I sent the following memorandum

to the Chief of Staff:

I would appreciate it if you would arrange for a briefing to be given me on Friday, February 6, 1953, covering the Army's loyalty and security programs for both military and civilian personnel. The presentation should set forth what steps are taken to prevent disloyal or subversive persons from infiltrating the Army and what steps have been taken to discover and remove any such persons who may have found their way into the Army Establishment.

On February 13, 1953, I lunched with Mr. J. Edgar Hoover in the office of the Secretary of Defense. On March 2 I called on Mr. Hoover in his office to discuss Army security matters. Army liaison with

the FBI has been close and effective.

On September 15, 1953, I issued a letter-directive throughout the Army stating that, as Army policy, it is not consistent with the interests of national security to employ or to retain on the job any civilian who, in response to a proper question by proper authority, refuses to state whether he is or has been a member of the Communist Party or other subversive group or organization. In this step the Army took the initiative throughout the entire Government.

On the 13th and 14th of October I spent 2 days in New York attending the executive hearings of this committee regarding Fort Monmouth. I wanted to obtain all of the additional information I could about Fort Monmouth and the security situation there. invited Senator McCarthy and his staff to lunch both days.

I cite the foregoing incidents as evidence of my awareness of the problem of subversion and my determination to do something about it. I did not need spurring by anyone. By the same token, I welcomed assistance from any source, including this committee. The executive and legislative branches of our Government must, in my

opinion, work together, as I have previously stated.

My first connection with this committee and its chairman occurred in September 1953. I was spending a few days before Labor Day in Montana and happened to notice a news item in a local paper—the Great Falls Tribune—reporting comments by Senator McCarthy with respect to three Army employees in the New York area. I immediately went to the railroad station in Harlowton, Mont., and wrote out a telegram to the Senator, telling him that I was returning to Washington the following Tuesday and wanted to correct anything that might be wrong. My telegram stated, in part—and I quote:

* * * You may be sure I will oppose Communist infiltration of the Army to the limit of my ability * * *.

That was on September 4.

I got back to Washington on the evening of September 7. The next morning I phoned for an appointment. I had lunch with Senator McCarthy and discussed the cases which the Senator was investigating in the First Army area. I attended an executive hearing of this committee held that afternoon. There I met David Schine for the first time.

On October 20, accompanied by Senator McCarthy; Maj. Gen. George I. Back, Chief Signal Officer; Col. Kenneth E. BeLieu, my executive officer; Mr. John Adams; two employees of Senators who are members of this committee; and Cohn, I flew to Fort Monmouth.

I was again looking for firsthand knowledge of the security situation, which was then being investigated by Senator McCarthy. I also wanted to get a feel of the morale on the post. The hearings had resulted in newspaper headlines of an alarming character. Upon arrival we were joined by Senator H. Alexander Smith, Congressman James C. Auchincloss, of the Third New Jersey District, and General

Lawton, commanding general.

The following incident occurred during the course of our inspection of the laboratories at Fort Monmouth. Entrance to one of these, a laboratory engaged in secret work, required special security clearance. I made an on-the-spot decision that I would take the responsibility for inviting those who had been elected to public office to enter with me. This included Senator McCarthy, Senator Smith, and Representative Auchincloss, but excluded the other members of the group.

Upon leaving the laboratory, I could see that Cohn was extremely angry at not having been allowed to enter. Colonel BeLieu informed me that Cohn, upon being denied entrance, had in substance said:

✓ This means war—Don't they think I am cleared for classified information? I have access to FBI files when I want them * * *. They did this on purpose just to embarrass me. We will really investigate the Army now.

I subsequently learned that Cohn made a statement, "This is a declaration of war," within the hearing of John J. Slattery, Countermeasures Director at Monmouth, and Lt. Joseph E. Corr, Jr., of General Lawton's staff.

This outburst by Cohn was the same type reaction as when later on Mr. Adams in early January mentioned the possibility of overseas duty for Schine.

I now turn to the charges made by Senator McCarthy:

1. That I urged the Senator to go after the Navy and the Air Force; and

2. That I am guilty of blackmail.

I would like first to recall briefly at this point certain events arising

out of the General Zwicker incident.

On Thursday evening, February 25, I made a public statement from the White House. In that statement I said that from assurances which I had received from members of this committee, I was confident that Army witnesses would not be abused in the future.

Shortly after my statement of February 25 became public, Senator McCarthy said that my statement was "completely false." This was widely quoted in such papers as the New York Times, the Baltimore

Sun, and the Washington Evening Star.

In contrast to this, the Washington Post of February 26, the very next day, carried the following comment:

Subcommittee Member Karl E. Mundt (Republican, South Dakota), however, said he "agreed entirely" with Stevens' statement. Mundt said he felt Stevens was justified in saying he received "assurances" from "members" of the subcommittee, meaning "individual members," about the treatment of witnesses.

A United Press dispatch, also dated February 26, reported as follows:

Senator Charles E. Potter (Republican of Michigan) also told newsmen "Stevens was absolutely correct" in saying he had received assurances that Army witnesses "would not be browbeaten and humiliated."

Against this background of confirmation of my statement from two members of this committee, I submit for your determination the correctness of Senator McCarthy's charge of "complete falsehood". It is well to bear this incident in mind as we turn to the new attack which

Senator McCarthy has made against me.

Now, as to the Senator's charges that I urged him to "go after" the Navy and the Air Force and that I was guilty of blackmail, I call your attention to the fact that these charges have nothing whatsoever to do with the issue raised by Senator Potter's letter as to whether undue influence was used by Senator McCarthy and his staff to obtain preferential treatment for Private Schine.

The first of these charges relates to my luncheon with Senator Mc-Carthy, Cohn, Carr, and Mr. Adams in my office on November 6, which

I mentioned earlier.

At this luncheon I commented on the lengths to which I had gone in working with the committee. I said I felt the inquiry by the committee at Fort Monmouth had served its purpose. I thought the Army should itself follow up the suggestions of the committee and take whatever further steps were necessary to eliminate any possible security risks.

I added that I would make progress reports to the committee. However, I did not welcome the damaging effect upon the Army of Senator McCarthy's statements to the press which gave the impression that there was much current espionage at Fort Monmouth, when such was

not the case.

The Senator then brought up the plans the committee had to investigate subversion in certain industrial plants engaged in Army work. I told him that the question of security in industrial plants engaged in

secret work was of real concern not only to the Army but to the entire

Defense Establishment.

The memoranda released March 12 by Senator McCarthy state that I had at this luncheon suggested that the committee "go after" the Navy and the Air Force. At no time on that day, or at any other time, did I suggest that the committee "go after" the Navy and Air Force. The Senator said that the Army would furnish information about the other services. I never made any such statement. I never had any such information.

Gen. Matthew B. Ridgway, Chief of Staff; Maj. Gen. G. C. Mudgett, Chief of Information; and Maj. Gen. A. G. Trudeau, Chief of Intelligence, were present during approximately half of the 3-hour meeting. General Trudeau is presently overseas, but General Ridgway and General Mudgett are available to answer any questions that may be asked of them regarding the discussion that took place while they were

present.

The second episode in this connection began on November 16, when Cohn, accompanied by Mr. Adams, came to my office. Cohn referred to a statement by me at a press conference on November 13 to the effect that I was not then aware of any current espionage at Fort Monmouth. Cohn said that Senator McCarthy was considerably upset as he felt that my statement had "pulled the rug out from under him." I told him that had not been my intention. I said that I thought I had been more than fair to Senator McCarthy and his investigation of Fort Monmouth.

I flew to New York the next morning and again invited Senator McCarthy to lunch. He was plainly provoked at the comments I had made regarding the lack of any current espionage at Fort Monmouth. We finally agreed on a statement that I would make at a joint press conference which Senator McCarthy and I held following lunch. It boiled down to my saying that the Army had no evidence of current espionage, and, in making that statement, I made it clear that I was speaking only for the Army and not for the committee. This was no different in substance from my statement of November 13 to which Senator McCarthy had objected. I still have no evidence of current espionage at Fort Monmouth.

An unsigned memorandum of November 17, also made public March 12 by Senator McCarthy, states it was at this luncheon in New York that I again suggested the committee go after the Navy and Air Force. That is not true. Colonel Cleary and Mr. Adams were present throughout. They heard no such suggestion and are available to supply information regarding what was said at this luncheon.

My oath of office requires me to do everything in my power for the defense of the United States. That means the most forthright and honorable dealings with the Navy, the Air Force, and the Marines. That kind of cooperation I have both given and received. If con-

firmation is needed, I suggest you check with those services.

It is a singular thing to me that this serious charge—that I tried to persuade the chairman of this committee to investigate the Navy and the Air Force—was kept secret so long. Why should it have only come to light 4 months later on the day after the Army chronology of events became public?

Now as to Senator McCarthy's charge of blackmail.

This charge was included in the Senator's memorandum dated December 9 and also made public March 12. In this case, for more than 3 months, this most serious charge—that the chairman of this committee had been blackmailed by the Secretary of the Army—was kept secret not only from the public but from the other members of this committee, as I understand it.

I do not know what the Senator had in his mind when he made this

charge.

Senator McCarthy. Mr. Chairman, a point of order.

The Secretary, and I assume by an honest mistake, or whoever wrote this, is constantly referring to my being blackmailed. There was a charge that there was an attempt to blackmail, a very, very unsuccessful attempt, and I think the record should be cleared on that at this time.

Senator Mundt. The Senator will have a chance on cross-examination to bring that out when he interviews the Secretary of the Army.

Secretary Stevens. I do not know what the Senator had in his mind when he made this charge. But during the 90 days when he kept it secret, he continued to make flattering remarks about me in public. On December 16 Senator McCarthy was quoted by the New York Times as follows:

I may say, just so this will not be misinterpreted as an attack upon Secretary Stevens and those who are now in charge, they have been cooperating fully with us, and I think they are just as concerned as we are about the very, very unusual picture unfolding. More and more they are doing something about it.

On February 23, the Senator was quoted in the Washington Evening Star as follows:

I don't think Bob Stevens wants Communists in the $\mbox{\sc Army}$ any more than this committee does.

On February 26, the Washington Daily News quoted the Senator as saying:

I think on the overall he (referring to me) has done a very good job.

On March 11, the day before the blackmail charge was made public, Senator McCarthy was quoted in the Washington Times-Herald as follows:

Bob Stevens is doing a good job. We have disagreed and will disagree in the future. It's impossible to do a job without having some disagreements.

The occasion of the blackmail outburst on March 12 was, of course, publication of the Army's chronological account of the Schine affair. Nevertheless, 6 days later—on March 18—Senator McCarthy was quoted in the New York Herald Tribune as saying that he had no "ill feelings" against me, that I was a "very fine fellow" and "honest."

Is that the description of a blackmailer?

The fact remains that this most serious charge is still on the record.

I therefore state that it is absolutely false.

By way of summary may I say again that I am proud to have had this chance to speak for the Army today. The Army is of transcendent importance to this Nation and to the friends of freedom and justice and peace around the world. Its integrity and morale are priceless commodities in these times, and I count it a welcome duty to testify to their soundness here today.

The Schine case is only an example of the wrongful seeking of privilege, of the perversion of power. It has been a distraction that has kept many men from the performance of tasks far more important to the welfare of this country than the convenience of a single Army private.

In conclusion, I want to make it clear that the United States Army does not coddle Communists. This committee knows that. The American people know that. I share the view of Senator Leverett Saltonstall, chairman of the Senate Committee on Armed Services

when he said on March 24 this year:

* * * as one who has served and as a parent whose children have served, I share the disbelief and the resentment felt by millions that there were either significant numbers of Americans whose loyalty was not in our finest tradition, or that disloyalty was coddled by the very uniforms whose heroic sacrifices in Korea have spoken so eloquently * * *

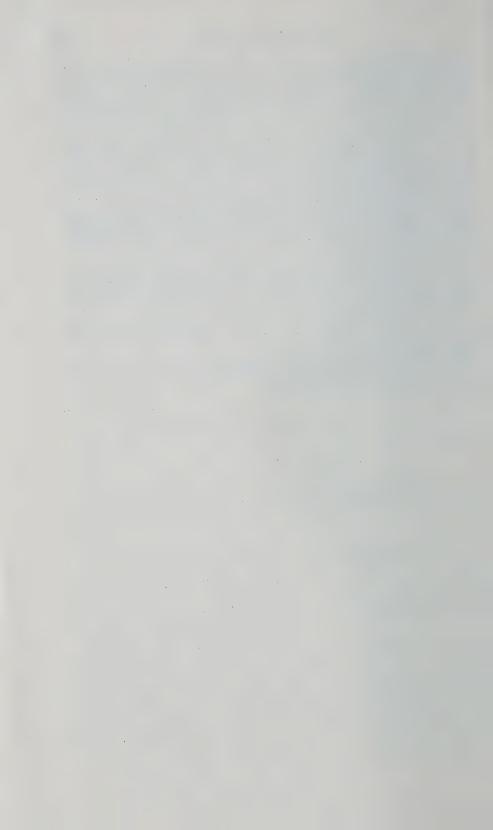
Senator Mund. The Chair would like to announce that we will have two meetings of the committee tomorrow, both in public hearings, one starting at 10:30 in the morning and the other beginning at 2:30 in the afternoon.

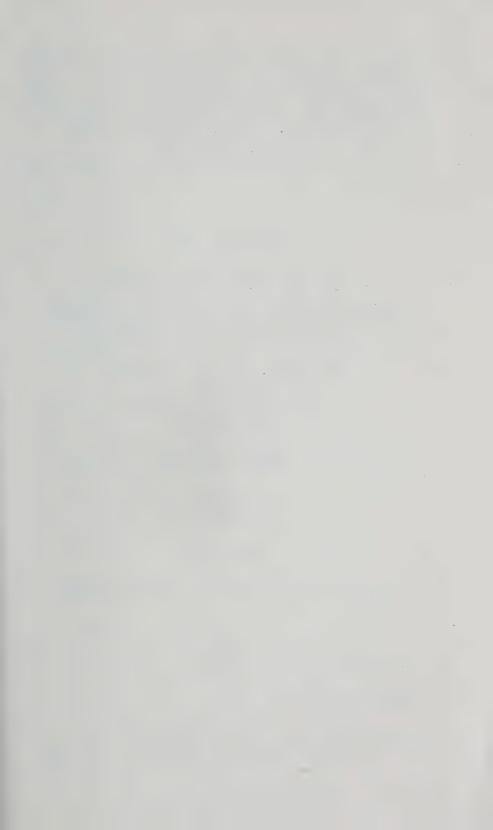
It is now approximately the hour of 4:30, and so we will reconvene at 10:30 with Mr. Stevens back on the witness chair and counsel beginning the questioning.

We stand in recess until 10:30.

(Thereupon at 4:35 p. m., the committee recessed to reconvene at 10:30 a. m., Friday, April 23, 1954.)









SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRE-TARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

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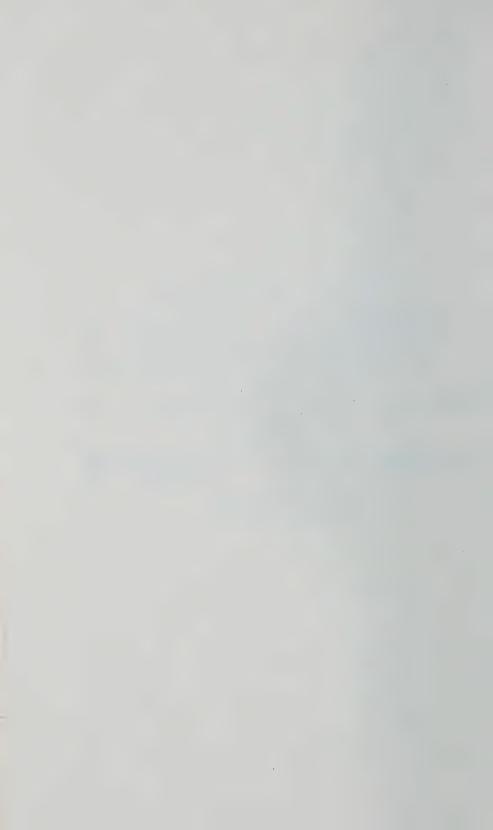
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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING; SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

FRIDAY, APRIL 23, 1954

United States Senate,
Special Subcommittee on Investigations of the
Committee on Government Operations,
Washington, D. C.

The subcommittee met at 10:30 a.m., pursuant to notice, in the caucus room of the Senate Office Building, Senator Karl E. Mundt,

chairman, presiding.

Present: Senator Karl E. Mundt, Republican, South Dakota; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief

clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee: Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; and James D. St. Clair, special counsel for the Army.

Senator Mundt. The committee will come to order, please.

May the Chair reiterate for the benefit of any of our guests who were not here yesterday that we ask our guests to refrain from any manifestations of approval or disapproval of any kind at any time. Yesterday the audience was magnificent in that regard and I trust that you will continue to abide by the rules of the subcommittee.

Are you ready, Mr. Stevens?

Mr. Welch. Mr. Chairman, I regret to say that I asked twice yesterday for a mike in front of me and I have not yet received one. It is quite awkward to share one with the witness. I hope, sir, you will use your enormous power to see that a second mike is established at this table at the earliest possible moment.

Senator Mundt. I shall do my best and I do not know how much

power I have in that regard.

Ruth, will you ask Louie Kerr what the possibilities are for getting an extra mike? And I think that there should be an extra mike at the end of the table, too, but at least there certainly should be one at the witness stand. The Chair has bad news, Mr. Welch. Mr. Reynolds says he took that up yesterday with the electricians and the people in charge of the amplification system and they say it all hooked up with some trunkline and that it cannot be done. I share your incredulity about that, however, and we will see if we cannot get something done.

Mr. Welch. Thank you, sir. Senator Mundt. We will have to ask the photographers to be seated, please. Gentlemen, we want to start the hearings now. Counsel for the committee, Mr. Jenkins, will take over the questioning.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Mr. Jenkins. I believe, Mr. Stevens, you were properly identified yesterday insofar as your full name is concerned, and the official position you hold with the United States Army; is that correct?

Secretary Stevens. Yes, sir; Secretary of the Army.

Mr. Jenkins. I believe you further stated in your written statement to the committee that you were sworn in as Secretary of the Army on February 4, 1953, is that correct?

Secretary Stevens. Yes, sir.

Mr. Jenkins. I remember in your statement that you said that you on the 6th day of February, 2 days after your induction into office, issued a directive to your staff. Is that correct?

Secretary Stevens. That is correct, sir.

Mr. Jenkins. I wish you would, if you will, Mr. Stevens, read to the committee that directive in full insofar as it pertains to the investigation of infiltration of Communists in the Army or with respect to espionage.

Secretary Stevens. This is dated February 4, 1953, a memorandum for the Chief of Staff, subject, "Loyalty and Security Programs":

1. I would appreciate it if you would arrange for a briefing to be given me on Friday, February 6, 1953, covering the Army's loyalty and security programs for both military and civilian personnel. The presentation should set forth what steps are taken to prevent disloyal and subversive persons from infiltrating the Army and what steps have been taken to discover and remove any such persons

who may have found their way into the Army Establishment.
2. I am also asking Mr. John W. Martin to arrange for a presentation by the Chairman of the Loyalty Security Screening Board. You will therefore wish to

have your action officer coordinate the scope of the two presentations.

ROBERT T. STEVENS, Secretary of the Army.

Mr. Jenkins. Then is it a fact that one of your first, if not your first official acts, was taken with respect to the loyalty and the security of the personnel, both military and civilian of the Army?

Secretary Stevens. That is correct, sir.

Mr. Jenkins. I assume from that answer that that program had top billing or priority with you? Secretary Stevens. It did.

Mr. Jenkins. Were you fully conscious, Mr. Stevens, of the importance of a proper and efficient agency for the purpose of securing the Army insofar as espionage or Communists were concerned?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Had you ever had any previous experience in the Army?

Secretary Stevens. Yes, sir. Mr. Jenkins. In what capacity?

Secretary Stevens. For a few months at the end of World War I, as a second lieutenant of Field Artillery, and for nearly 4 years in World War II in the Office of the Quartermaster General.

Mr. Jenkins. As a result of that directive, were you briefed with

respect to that subject?

Secretary Stevens. I was, sir.

Mr. Jenkins. Did you at that time fully acquaint yourself with the setup of the Army with respect to loyalty and security of its personnel

both civilian and military?

Secretary Stevens. I attempted to do so, and made it unmistakably clear with my associates in the Army that I wanted a careful check made on all phases of the security business and that we had a new Secretary now and we had some definite ideas about it.

Mr. Jenkins. I will ask you whether or not any changes at that time or subsequent thereto, were made with respect to the agency charged

with this particular phase of the security of the Army?

Secretary Stevens. Many and continuing changes have been made

throughout the subsequent period, Mr. Jenkins.

Mr. Jenkins. Was that for the purpose of increasing the efficiency of that agency?

Secretary Stevens. It was.

Mr. Jenkins. Did or did it not have that result in your opinion?

Secretary Stevens. It has, in my opinion.

Mr. Jenkins. I will ask you whether or not at all times since you were inducted into office that has been an active, virile and militant agency, always on the alert in your opinion in the discharge of its duties in its investigations pertaining to this subject?

Secretary Stevens. That is correct, sir.

Mr. Jenkins. Mr. Secretary, at that time, were you acquainted with Senator McCarthy or Mr. Cohn or Mr. Carr?

Secretary Stevens. No, sir.

Mr. Jenkins. I beg your pardon? Secretary Stevens. No, sir; not at that time.

Mr. Jenkins. You were not personally acquainted with either of those gentlemen?

Secretary Stevens. No, sir; I don't think I ever met Senator Mc-

Carthy or Mr. Cohn.

Mr. Jenkins. When did you first meet Senator McCarthy?

Secretary Stevens. I think that I met Senator McCarthy just about a year ago.

Mr. JENKINS. That would be in April 1953? Secretary Stevens. Approximately; yes, sir.

Mr. Jenkins. When did you first meet Mr. Cohn?

Secretary Stevens. I think I first met Mr. Cohn on the 8th of September 1953.

Mr. Jenkins. When did you first meet Mr. Carr?

Secretary Stevens. Well, I know that Mr. Carr came to my office on the 2d of October 1953, and I might have met him a few days before that.

Mr. Jenkins. Mr. Secretary, I will ask you when your first official

contact, I will call it for brevity, with the McCarthy investigating

committee occurred?

Secretary Stevens. The first contact that I had with it was in connection with an investigation that the committee was making in the First Army area, which is the New York area.

Mr. Jenkins. And when was that?

Secretary Stevens. That was—the first I learned of it was on the 4th of September 1953.

Mr. Jenkins. Where were you at the time you first learned of it? Secretary Stevens. I was in Harlowton, Mont., spending a few days

Mr. Jenkins. Was not that on a Labor Day weekend vacation you had taken? Is that correct?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You knew at that time of the character of work that Senator McCarthy was largely engaged in, did you not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. That is, in the investigation by himself and his staff of espionage, infiltration of Communists, and so forth; you were fully aware of that?

Secretary Stevens. I was, sir.

Mr. Jenkins. How did you learn of the proposed investigation, if one was proposed, while you were in Montana?

Secretary Stevens. I saw a news item in a local paper, the Great

Falls Tribune of September 4, 1953.

Mr. Jenkins. What was the tenor of that news item, in brief? Secretary Stevens. The tenor of the news item was that Senator

McCarthy had found a disturbing situation with respect to three Army employees in the First Army area in New York.

Mr. Jenkins. Particularly, state whether or not that was centered

at Fort Monmouth, if you know? Secretary Stevens. It was not.

Mr. Jenkins. But in the First Army area in New York?

Secretary Stevens. Correct.

Mr. Jenkins. As a result of that information you then obtained,

what did you do immediately?

Secretary Stevens. I immediately went down to the railroad station in Harlowton, Mont., and sent a telegram to Senator McCarthy, stating that I had noticed this news item, that I was disturbed about it, that I was returning to Washington on Monday night, that I would call him on Tuesday morning, the 8th of September, that I hoped I could see him that day because I wanted to get right into the matter with him; and I also stated that I would oppose Communist infiltration of the Army to the limit of my ability. That also was in the telegram.

Mr. Jenkins. Do you have a copy of that telegram?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Will you file that for the record, Mr. Stevens, please?

Secretary Stevens. Yes, sir. Do you want it read, sir?

Mr. Jenkins. State whether or not the copy you are now filing is a correct copy of the original you sent Senator McCarthy on Sep-

Secretary Stevens. Yes; it is a correct copy, a correct copy.

Mr. Jenkins. A correct copy? Secretary Stevens. Yes, sir.

Mr. Welch. Mr. Chairman, it is a short telegram. I would like to suggest that it be read.

Mr. Jenkins. You may do so. Secretary Stevens (reading):

HARLOWTON, MONT., September 4, 1953.

Senator Joseph R. McCarthy, United States Senate, Washington, D. C.:

Spending a few days visiting in Montana including luncheon with Governor Aronson Thursday in Helena. Have just read article Friday's Great Falls Tribune indicating you are dissatisfied with some action by First Army Head-quarters. Am returning Washington Tuesday morning and will call your office to offer my services in trying to assist you to correct anything that may be wrong. Will greatly appreciate opportunity of discussing matter with you. You may be sure I will oppose Communist infiltration of Army to limit of my ability.

Highest regards.

BOB STEVENS.

Mr. Jenkins. Did you receive any reply to that telegram, Mr.

Secretary?

Secretary Stevens. I learned after I got back that Senator McCarthy's office, I don't know whether it was the Senator personally or not, attempted to contact my office, I believe on the same day, which was September 4.

Mr. Jenkins. When did you contact Senator McCarthy after the

transmission of this telegram you just read?

Secretary Stevens. I returned to Washington on Labor Day evening and on the next morning, that was Tuesday, September 8, I telephoned Senator McCarthy's office for an appointment. I explained that I had——

Mr. Jenkins. Did you initiate that appointment?

Secretary Stevens. I did. I told him——

Mr. Jenkins. Did you see the Senator on that day?

Secretary Stevens. Yes, sir.

Mr. Jenkins. That was September 8?

Secretary STEVENS. Yes, sir.

Mr. Jenkins. Where did you see him?

Secretary Stevens. I met him in his office, Mr. Jenkins.

Mr. Jenkins. Who was present?

Secretary Stevens. Senator McCarthy was present, I think Senator Dirksen was present, there were a number of photographers in the office, and I think probably 2 or 3 other people whose names I cannot recall.

Mr. Jenkins. I do not think there will be any dispute about the

photographers.

Mr. Secretary, I will ask you at this time to detail to the committee insofar as you are able to do so, either from memory or any memorandum you made of that interview, the discussion that took place between you and Senator McCarthy on September 8.

Secretary Stevens. I have no memorandum about it, Mr. Jenkins. My recollection is that this being the first occasion on which I had

met with Senator McCarthy for committee business—

Mr. Jenkins. That was your first official contact with him, is that correct?

Secretary Stevens. That is correct.

Mr. Jenkins. Very well.

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Secretary Stevens. My recollection is that we spent the time in discussing the cases that he was interested in; that of these three employees in the New York area. I assured the Senator of my cooperation in that regard, or any other regard.

He invited me to attend a hearing, an executive meeting, of this

committee that afternoon, on the 8th of September, which I did.

Mr. Jenkins. Which occurred here in Washington?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Where? Secretary Stevens. It was in one of the committee rooms. I can't

positively identify it, sir.

Mr. Jenkins. On that occasion, that is, your meeting prior to the executive session, did you at that time make any suggestion whatever to the Senator or offer any opposition whatever to his proposed investigation of these three men in the First Army area?

Secretary Stevens. None.

Mr. Jenkins. On the contrary, state whether or not at that time you proffered your full cooperation and support.

Secretary Stevens. I did. That was my whole philosophy.

Mr. Jenkins. You attended an executive session that afternoon?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Will you tell the committee what transpired? Was there anything of interest or that in your opinion sheds any light on the issues here that transpired at that session?

Secretary Stevens. I personally don't feel there was anything that afternoon that bears importantly on the issues here. Since it was

an executive session-

Mr. Jenkins. Will you tell who was present?

Secretary Stevens. Senator McCarthy was there, and I think Senator Dirksen, and I think Mr. Jones of Mr. Potter's office was there; Senator McCarthy, Mr. Schine, Mr. Cohn, I believe.

Mr. Jenkins. I will ask you whether or not, Mr. Secretary, that

was the first meeting you had had with G. David Schine?

Secretary Stevens. Yes, sir, according to my best recollection, that is the first time I met him.

Mr. Jenkins. And you say he was present at that executive session?

Secretary Stevens. I met him that day, yes.

Mr. Jenkins. Did, or not, you learn on that occasion that he was a consultant on the Senator's staff?

Secretary Stevens. I did.

Mr. Jenkins. Did he participate in that meeting that afternoon? Secretary Stevens. Not in an important way, according to my recollection.

Mr. Jenkins. State whether or not on that occasion, either Senator McCarthy or any member of his staff made any suggestion to you whatever with reference to G. David Schine and particularly with reference to whether or not they wanted any particular concessions or preferences extended to him.

Secretary Stevens. I recall no such conversation, sir.

Mr. Jenkins. When was your next meeting with either Senator

McCarthy or his staff?

Secretary Stevens. That was, the next meeting was on September 16.

Mr. Jenkins. We are passing now from September 8 to September 16, is that correct?

Secretary Stevens. That is correct.

Mr. Jenkins. Where was the September 16 meeting held? Secretary Stevens. That was in the apartment of Mr. and Mrs. Schine, Waldorf Towers, in New York.

Mr. Jenkins. You mean that the apartment of the father and

mother of G. David Schine?

Secretary Stevens. That was my understanding, Mr. Jenkins. Mr. Jenkins. Were you personally acquainted with Mr. and Mrs., I believe, J. Myer Schine?

Secretary Stevens. No, I was not.

Mr. Jenkins. Is that David Schine's father you now know?

Secretary Stevens. I think that that is the name.

Mr. Jenkins. What was the occasion of you being at their apartment in the Waldorf Towers, New York, on September 16?

Secretary Stevens. The occasion was that Senator McCarthy was in New York, and I was going to be in New York, and I wanted to follow up with him any loose ends or items of business in connection with his investigation in New York, or any other matters that he wanted to discuss.

Mr. Jenkins. Was that your purpose in being in New York City? Secretary Stevens. No, sir; that was not my primary purpose on

that particular trip.

Mr. Jenkins. But was it an incidental purpose, that you wanted

to discuss with Senator McCarthy?

Secretary Stevens. I wouldn't call it incidental. I certainly had

it very much on my mind.

Mr. Jenkins. Did you know then that Senator McCarthy intended to investigate espionage and infiltration of Communists in the First Army area?

Secretary Stevens. Yes, sir.

Mr. Jenkins. How had you obtained that knowledge? Direct from Senator McCarthy, was it?
Secretary Stevens. You see it had already started with respect

to the first three employees.

Mr. Jenkins. Did he tell you when he laid his plans or did the spadework or groundwork for conducting that investigation in the First Army area?

Secretary Stevens. No, sir; the first I knew-Mr. Jenkins. I see, but you knew on September 16?

Secretary Stevens. Yes, sir.

Mr. Jenkins. That the investigation was forthcoming? Secretary Stevens. I knew the one in the First Army area.

Mr. Jenkins. And the discussion with Senator McCarthy was on your agenda on that trip?

Secretary Stevens. Certainly was and I telephoned him.

Mr. Jenkins. And by invitation, did you go to the apartment of Mr. and Mrs. Schine?

Secretary STEVENS. What is that?

Mr. Jenkins. At whose invitation did you go to the apartment of Mr. and Mrs. Schine?

Secretary Stevens. I contacted Senator McCarthy and asked for an appointment and he suggested that I meet him there at about 10 o'clock in the morning, September 16.

Mr. Jenkins. I will ask you whether or not you had breakfast there

that day, that morning.

Secretary Stevens. We sat at the breakfast table, and I think that I had some coffee, although I had previously had breakfast.

Mr. Jenkins. Who was present on that occasion, Mr. Secretary?

Who was present on that occasion?

Secretary Stevens. Senator McCarthy was present, David Schine was present, Mrs. Schine, senior, I met while I was there, and there may have been others, possibly Mr. Cohn might have been there.

Mr. Jenkins. Will you please now tell this committee in detail what if anything was said to you on that occasion by Senator McCarthy, G. David Schine, or anyone else present with reference

to G. David Schine.

Secretary Stevens. Yes; my recollection is that Senator McCarthy on this occasion asked me for a commission for David Schine. Since I was familiar with the fact that the application for a commission for David Schine had been turned down some weeks previously, I moved away from that subject as rapidly as I could.

Mr. Jenkins. Pardon me, Mr. Secretary.

Did you know at that time that a previous application on the part of Schine for a commission had been declined by the Army?

Secretary Stevens. Yes, I did, sir.

Mr. Jenkins. Did you know on information that at that time overtures had been made to various people including General Reber, General Smith, and perhaps others by members of the McCarthy committee for a commission for G. David Schine?

Secretary Stevens. I knew about the cases referring to General

Reber and General Smith; yes, sir.

Mr. Jenkins. Did you know that G. David Schine had been to the Pentagon for the purpose of procuring a commission?

Secretary Stevens. I did.

Mr. Jenkins. Did you know the circumstances under which he came?

Secretary Stevens. Yes, sir.

Mr. Jenkins. We are going back now, when did that knowledge reach you?

Secretary Stevens. During the month of July 1953.

Mr. Jenkins. I will ask you, Mr. Secretary, to tell what information you had with reference to overtures that had been made for a commission for Mr. Schine?

Secretary Stevens. Excuse me, sir.

Mr. Jenkins. And with reference to what Mr. Schine did subse-

quent thereto with reference to getting a commission.

Secretary Stevens. Well, I know that about the 8th of July, Senator McCarthy's office sent for General Reber to come up to his office and this General Reber, as he has testified, was asked about a commission for David Schine.

General Reber told me about this later, and he said that the Senator indicated the need for speed because David Schine might be drafted before too long, and Mr. Cohn came into the meeting according to

General Reber and also stressed the need for speed. And I knew about this, and I knew that David Schine was told that he would have to file an application and that this application was filed, although my recollection is that it took two trips by David Schine to the Pentagon in order to file.

Mr. Jenkins. Was it your information that the first application

was haphazardly and incompletely filled out by Mr. Schine?

Secretary Stevens. That was what General Reber indicated to me. Mr. Jenkins. What was your information with reference to a telephone conversation from Mr. Schine to the Pentagon with respect to his coming over, and what were his words?

Secretary Stevens. His words were that he asked if could come over

to the Pentagon and "hold up his hand."

Mr. Jenkins. What did that signify to your mind?

Secretary Stevens. That signified to my mind that David Schine thought that he was on the verge of getting a commission, and wanted to come right over and hold up his hand and be sworn in for a direct commission in the Reserve.

Mr. Jenkins. And you or anyone under your direction or control

told Schine that he would be given a commission?

Secretary Stevens. No, sir.

Mr. Jenkins. Going back now to New York City and the Waldorf Towers Apartment of Mr. and Mrs. J. Meyer Schine, on the 16th day of September, I ask you specifically what, if anything Senator McCarthy said to you on that occasion with reference to a commission for G. David Schine.

Secretary Stevens. It is my recollection that Senator McCarthy—Mr. Jenkins. Mr. Secretary, may I ask you this: Do you have any

memorandum of that conversation?

Secretary Stevens. No, sir.

Mr. Jenkins. What is your recollection on it, that is, is your recol-

lection clear or is it hazy with respect to that conversation?

Secretary Stevens. Mr. Jenkins, my recollection is entirely clear that on at least one occasion Senator McCarthy asked me for a commission for David Schine.

Mr. Jenkins. I am talking particularly now about September 16 in

the Schine apartment in New York.

Secretary Stevens. That is right, sir.

Mr. Jenkins. Is your mind clear on that or is it hazy?

Secretary Stevens. It is not clear.

Mr. Jenkins. It is not clear?

Secretary Stevens. No.

Mr. Jenkins. Do you give it as your best recollection?

Secretary Stevens. That is right.

Mr. Jenkins. And Senator McCarthy then asked you for a commission for Mr. Schine?

Senator McCarthy. Mr. Chairman, I am sorry, I did not hear the last answer made by Mr. Stevens.

Could I have that read back?

Senator Mundr. Will the reporter read it back? (The reporter read from his notes as requested.)

Senator Mundr. Is that the information the Senator desires?

Senator McCarthy. That is right.

Senator Mundt. Proceed, Mr. Counsel.

Mr. Jenkins. Is there any other event or statement connected with the September 16 visit at the Schine apartment that sheds any light on the issues of this controversy, Mr. Secretary?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Will you please tell these gentlemen on the committee

what that is?

Secretary Stevens. I remember very clearly Senator McCarthy asking me why I could not make use of what he called David Schine's special qualifications, and he went on to suggest that David Schine might be made a special assistant to me or perhaps a special assistant to the Intelligence Division of G-2 division of the Army in connection with Communists. I told Senator McCarthy that I did not think such an arrangement was possible, especially where a young man of draft age was concerned.

Mr. Jenkins. Did anything else occur there of interest, Mr.

Secretary?

Secretary Stevens. I think that is the substance of what bears on the issues.

Mr. Jenkins. Where did you go from there? Secretary Stevens. I came back to Washington.

Mr. Jenkins. Did you go uptown in New York to any meeting of the Senator's committee?

Secretary Stevens. No, sir.

Mr. Jenkins. Do you recall whether or not on that occasion David Schine drove you anywhere in his automobile?

Secretary Stevens. He did not.

Mr. Jenkins. He did not. You forthwith came back to Washington?

Secretary Stevens. That is correct.

Mr. Jenkins. Did you have, prior to coming here, a conversation with Senator McCarthy with respect to his investigations in the First Army area?

Secretary Stevens. I discussed that with him, yes, sir.

Mr. Jenkins. Were there any conclusions reached with respect to that investigation?

Secretary Stevens. Well, we were processing those three cases to

find out what the facts were.

Mr. Jenkins. There were three men then under investigation that you knew of?

Secretary Stevens. Two men and one woman.

Mr. Jenkins. You had received that information from Senator McCarthy, that is, the names of these 2 men and 1 woman?

Secretary Stevens. As I say, those were the three that I saw origi-

nally in the paper.

Mr. Jenkins. When, after September 16 did you next contact either the Senator or his staff or the Senator and his staff contact you, by telephone or otherwise?

Secretary Stevens. My recollection is that it was on the 21st of

September at an executive hearing of this committee.

 ${
m Mr.}~{
m Jenkins.}~{
m Where}\,?$

Secretary Stevens. Here in this building. Mr. Jenkins. Here in this building?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Did you have any discussion with Senator McCarthy

or the members of his staff at that time?

Secretary Stevens. This was-I came over, on the invitation of Senator McCarthy, to listen to testimony that was going on in executive session.

Mr. Jenkins. Was anything said to you on that occasion or on that day by either the Senator or any member of his staff with reference to G. David Schine?

Secretary Stevens. I do not recall that there was.

Mr. Jenkins. Is there any other event that occurred that day, that is, the 21st day of September, of any interest?

Secretary Stevens. Well, of course the proceedings in the hearing, Mr. Jenkins, were of interest to me. I don't know—

Mr. Jenkins. But with respect to any attempt on the part of this committee unduly to secure preferences for Schine?

Secretary Stevens. No, sir.

Mr. Jenkins. Mr. Secretary, when was your next contact with the Senator and his committee?

Secretary Stevens. I think the next contact was on the 2d of

October.

Mr. Jenkins. Where was that?

Secretary Stevens. That was in my office at the Pentagon.

Mr. Jenkins. At whose invitation?

Secretary Stevens. That was as a result—that was motivated from the Senator's end of the line.

Mr. Jenkins. Initiated by the Senator or his staff?

Secretary Stevens. That is correct. Mr. Jenkins. For what purpose? Secretary Stevens. The purpose-

Mr. Jenkins. What were the events leading up to the initiation of that conference by the McCarthy investigating committee?

Secretary Stevens. Well, Mr. Cohn came over to see me, and he

Mr. Jenkins. Prior to October 2? Secretary Stevens. No; on the 2d.

Mr. Jenkins. On the 2d?

Secretary Stevens. Yes. And he was joined a few minutes after he got there by Mr. Carr.

Senator McCarthy. Mr. Chairman. Senator Mundt. A point of order?

Senator McCarthy. A point of order. I think the record should show, while there is certainly nothing improper about the Secretary's doing it, he has a perfect right to do it, but the Secretary should show, however, that he is not making the answers from memory but from a memorandum which has been prepared and is before him. I think the record should show who prepared the memorandum.

If I am incorrect in this, that the Secretary is not using the memo-

randum, I think the record should show that.

May I make it clear, Mr. Secretary, I am not indicating there is anything improper about you using the memorandum, but I do think it should be clear.

Mr. Jenkins. Senator, I will ask that question next. Senator MUNDT. Counsel will solicit the information. Mr. Jenkins. Mr. Stevens, are you referring to a memorandum in the giving of your testimony?

Secretary Stevens. Very rarely. I have here what I call a chrono-

logical list of dates.

Mr. Jenkins. I will ask you who prepared that memorandum for you. Did you or did someone on your staff?

Secretary Stevens. I think it was the result of a joint effort, Mr.

Jenkins.

Mr. Jenkins. Between you and who? Secretary Stevens. And counsel. Mr. Jenkins. That is, Mr. Welch? Secretary Stevens. And Mr. St. Clair.

Mr. Jenkins. State whether or not it was prepared in your own recollection of events and/or any memoranda, data, or documents that you have in your possession.

Secretary Stevens. Yes, sir.

Mr. Jenkins. Is it in your opinion an accurate memorandum?

Secretary Stevens. Yes, sir. Mr. Jenkins. Very well.

Senator McCarthy. Mr. Counsel, might I request that the memorandum in its entirety be made a part of the record so that anyone reading the record will know what the Secretary is referring to when he makes his answers?

Mr. Jenkins. Do you have any objection, Mr. Stevens, to making that memorandum a part of the record when you shall have finished

with it?

Mr. Welch. Mr. Chairman, a copy of this chronology has been handed to Mr. Jenkins, and Mr. Jenkins' knowledge of the case happily is so good that he does not have to refer to it.

Mr. Jenkins. I am not referring to it.

Mr. Welch. Apparently the witness has to refer to it very seldom, but Mr. Jenkins, I think, will confirm that a copy was supplied him. Mr. Jenkins. But the Senator wanted a copy filed as an exhibit to

Mr. Stevens' testimony, and I take it you have no objection to that, do you, Mr. Stevens or Mr. Welch?

Mr. Welch. May I add that it is mostly a simple chronology and it is not fully embrasive of all the testimony the witness will give.

Mr. Jenkins. But is there any objection to it whatever it may be? Mr. Welch. Mr. Jenkins, if it were a secret, it would not be in your possession.

Mr. Jenkins. Thank you very much.

Senator Mundt. Does the Chair understand from that answer that there is no objection to it being filed?

Mr. Welch. There is none.

(The memorandum referred to above was marked "Exhibit No. 1"

and will be found in the appendix on p. 135.)

Senator McClellan. Mr. Chairman, then we set a precedent by this procedure and I shall insist that every witness who now appears hereafter that refers to any memorandum give like testimony and file it with the committee.

Mr. Jenkins. Very well.

Senator Mundt. Proceed, Mr. Counsel.

Mr. Jenkins. Mr. Secretary, we are now at the meeting in your office in the Pentagon October 2, is that correct?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Who is present at that meeting?

Secretary Stevens. Mr. Cohn came in first and was later joined a few minutes later by Mr. Carr. I was the only other person there.

Mr. Jenkins. Senator McCarthy was not present at any time at that meeting?

Secretary Stevens. No, sir.

Mr. Jenkins. Will you please now tell this committee in detail

what occurred at that meeting?

Secretary Stevens. Mr. Cohn told me about the forthcoming investigation at Monmouth, and he said that General Lawton, the commanding general of the Fort Monmouth installation, had taken some action which made it difficult for the staff of Senator McCarthy's committee to get the information they wanted by talking with the people they wanted to talk to at Fort Monmouth. And he said it was impairing their ability to do the job.

I said, Well, I wanted to cooperate with the committee to the very limit of my ability, and in their presence, then and there, I

called General Lawton on the telephone—

Mr. Jenkins. What did you say to General Lawton then and there

in the presence of Mr. Cohn and Mr. Carr?

Secretary Stevens. I told General Lawton that I wanted full cooperation by him and the members of his staff, and that he was to make available those people at his installation that the properly accredited representatives of Senator McCarthy's committee wanted to interview.

Mr. Jenkins. What else, if anything, transpired on that occasion between you and Mr. Cohn and Mr. Carr, and particularly with

reference to G. David Schine?

Secretary Stevens. Mr. Cohn brought up the matter of G. David Schine, and wanted to know if he couldn't be assigned to New York City.

Mr. Jenkins. Why did he say he wanted him assigned to New

York City?

Secretary Stevens. Well, he said there was a lot of committee work that had to be attended to, and that he was sure there were various assignments around New York City that the Army could assign David Schine to.

Mr. Jenkins. What was your reply to that?

Secretary Stevens. My reply to that was that if David Schine were actually inducted into the Army, that he would have to take the regular Army training. I did indicate to him that if committee business required David Schine's assistance in the early stages of his military training, that I would cooperate to the best of my ability in making David Schine available for committee work providing it did not interfere with his training.

Mr. Jenkins. I think now is a good time, Mr. Secretary, for you to explain to this committee the routine through which a draftee is put upon being inducted into the Army, and particularly with reference to his training, the duration of his training, and the character

of his training, without going into unnecessary detail.

Secretary Stevens. Well, in general, Mr. Jenkins, what is known as the preindoctrination period is a period during which the inductee

is sent to the induction or reception center, and it is a period during which he is being issued his clothing, and being given various tests, medical attention, assigned to unit, and in the ordinary course of events all of that takes in the general nature of about a week or two. It depends somewhat—

Mr. Jenkins. Does that occur immediately after the induction of

the draftee into the Army, after he is sworn in?
Secretary Stevens. Yes, sir; it usually does.

Mr. Jenkins. That requires about a week's time?

Secretary Stevens. Sometimes longer.

Mr. Jenkins. Does it occur on the base at the camp to which the inductee is assigned?

Secretary Stevens. The reception center may or may not be on that

particular base. In this case it was.

Mr. Jenkins. Following that, what is the routine?

Secretary Stevens. Then at the start of the next cycle of basic training which might happen to hit within a week after the inductee came in, or it might be 2, or in some cases even as long as 3 weeks, the inductee joins that cycle. That cycle is 16 weeks of basic training which is broken in the middle after the eighth week, with 2 weeks leave.

Mr. Jenkins. Is there any such thing in the regulations or routine except in exceptional cases for a draftee to evade or escape that cycle of training?

Secretary Stevens. You mean the 16 weeks of basic training?

Mr. Jenkins. That is what I mean.

Secretary Stevens. No, sir; there is no reason to escape that, sir, that I know of.

Mr. Jenkins. All right, Mr. Cohn discussed with you the assignment of Schine to the New York area; is that correct? On October 2?

Secretary Stevens. That is right.

Mr. Jenkins. Did or not he say anything about making an exception to the rule with respect to Schine insofar as his basic training was concerned?

Secretary Stevens. He wanted him assigned.

Mr. Jenkins. Will you tell the committee what that was?

Secretary Stevens. He wanted him assigned to New York without basic training.

Mr. Jenkins. What was your reply to that, Mr. Secretary?

Secretary Stevens That that could not be done.

Mr. Jenkins. Why did he tell you he wanted him assigned to New York without basic training?

Secretary Stevens. He indicated that there was committee work that David Schine was needed for, I remember that very clearly.

Mr. Jenkins. Had you ever up to that time excused a draftee from

basic training?

Secretary Stevens. I had no knowledge of any exception ever being

Mr. Jenkins. Very well. Will you relate to the committee anything else that transpired on that October 2 meeting?

Secretary Stevens. I think that just about covers it, Mr. Jenkins.

Mr. Jenkins. You say Mr. Frank Carr was present?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Did Mr. Carr make any statement whatever insofar as your recollection enables you to answer that question?

Secretary Stevens. Do you mean with respect to David Schine? Mr. Jenkins. Did Mr. Carr make any statement at that conference, and did he intercede for Schine?

Secretary Stevens. I do not recollect that he did. I think the con-

versation on Schine was entirely with Mr. Cohn.
Mr. Jenkins. Mr. Stevens, I will ask you whether or not on that occasion, I will ask you to state the degree of insistence on the part of Mr. Cohn with respect to Schine being excused from a part of his basic training or all of it, or being transferred to the First Army

Secretary Stevens. Well, Mr. Jenkins, I felt that it was somewhat unusual, and that there was a degree of insistence in Mr. Schine's approach to the subject. It is a little hard to evaluate the degree of a situation such as that. I knew that Mr. Cohn was serious about this matter, and there was no question about that.

Mr. Jenkins. When was your next contact with this committee? Secretary Stevens. The next contact with the committee was on

the 13th of October.

Mr. Jenkins. Where was that?

Secretary Stevens. That was in New York.

Mr. Jenkins. Who was present?

Secretary Stevens. I went to New York in order to attend hearings of this committee.

Mr. Jenkins. Being conducted by Senator McCarthy?

Secretary Stevens. Being conducted by Senator McCarthy. Mr. Jenkins. And Mr. Cohn and Mr. Carr and other members of his staff?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Were those executive hearings?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Were they in connection with the alleged infiltration of Communists in the Army?

Secretary Stevens. At Fort Monmouth; yes, sir.

Mr. Jenkins. And espionage? Secretary STEVENS. Yes, sir.

Mr. Jenkins. At whose direction or who initiated that visit to New York on October 13, that is was that done of your own volition, and did the Senator invite you or how was that, Mr. Secretary?

Secretary Stevens. I cannot exactly remember, and I know that I wanted to go to some of those hearings, and they had started on the 8th of September, officially, on the Fort Monmouth hearings.

Mr. Jenkins. Did anyone accompany you on that trip?

Secretary Stevens. Yes, sir. Mr. Jenkins. Who was that? Secretary Stevens. Mr. Adams.

Mr. Jenkins. When did Mr. Adams become counsel for the Department of the Army?

Secretary Stevens. On the 1st day of October. Mr. Jenkins. He had then been in office 13 days?

Secretary Stevens. That is correct.

Mr. Jenkins. State whether or not you had assigned him as your liaison officer or contact between you and the McCarthy committee?

Secretary Stevens. Yes, sir; when Mr. Adams became the counselor for the Department of the Army, I called him into my office and I sat down and I had a chat with him, and I charged him with the primary responsibility of liaison between the Department of the Army and this committee. I told him that I wanted him to cooperate fully with the committee, and made it his primary mission. Of course, Mr. Adams was new to the job.

Mr. Jenkins. Did you personally know Mr. Adams at that time?

Secretary Stevens. I met him only a few days before.

Mr. Jenkins. Had you made a thorough and complete investigation of his qualifications and of his record?

Secretary Stevens. I certainly had looked into it; yes, sir.

Mr. Jenkins. Very well.

Secretary Stevens. I was very pleased with it.

Mr. Jenkins. Now, will you state, Mr. Secretary, what occurred in New York on October 13, and particularly what, if anything, was said or done shedding light on the issue of whether or not the Senator or any member of his staff sought unduly to obtain preferential treatment for G. David Schine?

Secretary Stevens. They were executive hearings, and I think it is the Federal Court Building there in New York, and it took place in the morning. I sat as a spectator, and listened to the questioning of the witnesses, and there was no discussion about Mr. Schine during the course of the hearings.

I invited Senator McCarthy and his staff to have lunch with me,

and we did have luncheon.

Mr. Jenkins. Where?

Secretary Stevens. At the Merchants Club in New York.

Mr. Jenkins. Was anything said at that luncheon between the respective parties to that controversy with reference to Schine?

Secretary Stevens. I don't recall anything significant.

Mr. Jenkins. Was there not the discussion in the main with reference to the Senator's investigation which was then under way?

Secretary Stevens. That is correct, Mr. Jenkins.

Mr. Jenkins. Mr. Stevens, did you at that time attempt to or exert any effort to forestall or curtail or halt that investigation?

Secretary Stevens. Quite the contrary, sir, I did everything I could to assist him.

Mr. Jenkins. Did you attend an executive session that afternoon?

Secretary Stevens. I did.

Mr. Lavyrys, Is that all that occurred on October 13 that you con-

Mr. Jenkins. Is that all that occurred on October 13 that you consider of interest?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And as I understand it now, nothing was said by either the Senator, Mr. Cohn, or Mr. Carr, or other members of his staff, with reference to G. David Schine on that occasion?

Secretary Stevens. I remember nothing in particular.

Mr. Jenkins. When was your next meeting with the committee or any member of its staff?

Secretary Stevens. The next day, on the 14th.

Mr. Jenkins. In New York City? Secretary Stevens. Yes, sir.

Mr. Jenkins. You stayed there overnight?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You did not see the Senator or any member of his

staff on the evening or night-

Secretary Stevens. I did, on the evening of the 13th of October. By the way, if I said that the hearings at Fort Monmouth officially started in September, I meant it to be October. I think the official starting date was the 8th of October.

Mr. Jenkins. Very well.

Who was it, Mr. Secretary, that you saw on the night of the 13th; where, what was said, particularly with reference to Schine?

Secretary Stevens. Well, there was-Mr. Jenkins, there was a din-

ner party.

Mr. Jenkins. Where was it given?

Secretary Stevens. It was given in a private dining room at the Waldorf Astoria.

Mr. Jenkins. By whom?

Secretary Stevens. I think it was given by Mr. and Mrs. Schine, Senator. And I think Senator McCarthy invited me to attend.

Mr. Jenkins. Did you attend? Secretary Stevens. Yes, sir.

Mr. Jenkins. That was a dinner party given by the parents of G. David Schine, it was, at the time?

Secretary Stevens. That is correct.

Mr. Jenkins. On the night of October 13?

Secretary Stevens. Yes, sir.
Mr. Jenkins. Attended by you?
Secretary Stevens. Attended by me.
Mr. Jenkins. Senator McCarthy?
Secretary Stevens. Yes, sir.
Mr. Jenkins. G. David Schine?

Mr. Jenkins. G. David Schir Secretary Stevens. Yes, sir. Mr. Jenkins. Mr. Cohn? Secretary Stevens. Yes, sir. Mr. Jenkins. Anyone else?

Secretary Stevens. Judge Cohn and Mrs. Cohn were there.

Mr. Jenkins. They are the parents of Mr. Roy Cohn?

Secretary Stevens. That is correct. Mrs. McCarthy was there.

Mr. Jenkins. The Senator's wife?

Secretary STEVENS. That is right. Mr. and Mrs. Richard Berlin were there. There were, as I recall it, there were two young ladies that were there, but I don't recall their names, Mr. Jenkins. And possibly another couple.

Mr. Jenkins. I didn't get that last statement. Secretary Stevens. I said possibly another couple.

Mr. Jenkins. What, if anything, Mr. Secretary, was said to you on that occasion by any of the McCarthy staff with reference to

Private Schine?

Secretary Stevens. I have no recollection of anything that evening.

Mr. Jenkins. Did Private Schine say anything to you about any preferences being accorded to him before or after he was drafted into the Army?

Secretary Stevens. Will you repeat that, sir?

Mr. Jenkins. Did Private Schine himself make any request of you on that occasion?

Secretary Stevens. Not on that occasion; no, sir.

Mr. Jenkins. Then as I understand it, Mr. Secretary, there was nothing of interest on that occasion insofar as this committee is concerned with reference to the allegations in your bill of particulars; is that correct?

Secretary Stevens. Yes, sir.

Mr. Jenkins. When was your next contact with the committee? Secretary Stevens. Well, I stayed overnight in New York that night and the following morning, by arrangement, David Schine picked me up in his car at the corner of 37th Street and Park Avenue at approximately 9:30 in the morning to take me down to the hearings.

Mr. Jenkins. Who made those arrangements for David Schine

to take you down to the hearings?

Secretary Stevens. He and I made those arrangements, as I recall

it, the previous evening.

Mr. Jenkins. The two of you rode together in an automobile driven by him, then, to the Federal courthouse, where the Senator was conducting his hearing?

Secretary Stevens. That is right.

Mr. Jenkins. Did you attend those hearings?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Was anything said to you on that day by the Senator or any member of his staff with reference to any preferential treatment to be accorded Schine?

Secretary Stevens. Well, Mr. Schine and I had quite an interesting

talk in the car, riding downtown.

Mr. Jenkins. Will you relate what that conversation was, Mr.

Secretary?

Secretary Stevens. Well, the conversation was along the line that I was doing a good job in ferreting out Communists.

Mr. Jenkins. Was that your statement or his? Secretary Stevens. That Mr. Schine's statement.

Mr. Jenkins. Very well.

Secretary Stevens. That he thought I could go a long way in this field. And that he would like to help me. He thought that it would be a much more logical plan for him to become a special assistant of mine——

Mr. Jenkins. Than to do what?

Secretary Stevens. To assist in the Communist program, Communist-seeking program in the Army, and he thought that would be a more logical assignment than being inducted into the Army.

I told David Schine substantially this—

Mr. Jenkins. Is that the first time that David Schine ever intimated to you that he wanted some special dispensation?

Secretary Stevens. That is my first definite recollection.

Mr. Jenkins. Very well. And you told David Schine what? Secretary Stevens. I said to him that one of the best things that ever happened to me in my life was my opportunity for service in the United States Army in two World Wars; that I felt that if he would face up to his forthcoming induction and approach it in the right way, he would look back on it all his life as one of the great experiences that he had had, and that if for any reason he did not take his military training, in my opinion he would regret it the rest of his life.

And I pointed out to him that I had served; my sons had served, and we all think we got a great deal out of it in addition to having the opportunity of serving our country.

Mr. Jenkins. Do you recall his reply to that, Mr. Secretary? Secretary Stevens. I think that it made some impression on Mr.

Schine. I don't know, of course, how much.

Mr. Jenkins. That was on October 14, as we understand it?

Secretary Stevens. That is correct.

Mr. Jenkins. During that day, at any time, either at the hearings, luncheons, or elsewhere, did or not Senator McCarthy or any member of his staff speak to you with reference to Schine?

Secretary Stevens. I do not recall that.

Mr. Jenkins. When did you come back to Washington? Secretary Stevens. I came back that afternoon, sir.

Mr. Jenkins. When was your next contact with the committee? Secretary Stevens. My next contact with the committee was on October 20.

Mr. Jenkins. Where?

Secretary Stevens. This was a trip that we made to Fort Mon-

Mr. Jenkins. "We," meaning whom?

Secretary Stevens. Meaning—had planned a trip, Mr. Jenkins, to go down there. I wanted to visit the installation, see how things

Mr. Jenkins. The installation at Fort Monmouth, we understand? Secretary Stevens. Yes, sir; and I invited Senator McCarthy and any members of his staff or any members of the committee that cared to, to go along with me. Senator McCarthy did go, Mr. Cohn went, Mr. Adams went, Colonel Be Lieu went, Mr. Jones, of Senator Potter's office, I believe, went, and I think Mr. Rainville went.

Mr. Jenkins. Mr. Jones, of Senator Potter's office; is that correct?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Was there a representative of any other member of this committee present?

Secretary Stevens. Yes, sir. I think Mr. Rainville, of Senator

Dirksen's office, was with us.

Mr. Jenkins. Do we understand, Mr. Secretary, that all of the men whose names you have mentioned left Washington and went to Fort Monmouth by plane?

Secretary Stevens. Yes, sir.
Mr. Jenkins. Now, Mr. Secretary, without my asking you specific questions and for the purpose of expediting this hearing as much as possible I want you to now take up the events of October 20, beginning with the start of the trip here in Washington and continuing

throughout the day.

Secretary Stevens. Well, we left here by plane and flew to, I think it was, Eatontown, N. J. There was a fair amount of discussion, of course, about the Fort Monmouth discussion on the plane going down. I had gained the impression on the previous meeting, which was the 14th of October, in New York, that Senator McCarthy was approaching the point where he felt that he would turn the prosecution, if you will, of the investigation over to the Army. I think this was discussed some on the plane. We were met, when we landed at the airport, by

Senator H. Alexander Smith, of New Jersey, and General Lawton, the commanding general. We drove to the Fort Monmouth installation, and were later joined by Congressman Auchineloss of the Third New Jersey District. We went into the headquarters building and had a meeting with General Lawton and members of his staff, which all of us, as I recall it, from Washington, attended, and that wasthere we had a discussion of the security measures at Fort Monmouth, opportunities for questioning the commanding general and members of his staff. Then when that meeting adjourned, we went out for a visit around the installation to get an idea of what it was like, what the different buildings were, and laboratories.

Mr. Jenkins. May I interrupt with one question. Had you not, prior to that date and since your installation as Secretary of the Army,

visited Fort Monmouth?

Secretary Stevens. This was my first visit.

Mr. Jenkins. Very well. Go ahead.

Secretary Stevens. It was on this trip around to some of these laboratories, we came to one lab which required a special security clearance to gain admittance. As Secretary of the Army-

Mr. Jenkins. Without giving away any information that might be of aid or comfort to the enemy, if there is one, describe the nature

of that installation.

Secretary Stevens. That installation has to do with advanced research and development on radar.

Mr. Jenkins. Very well. Secretary Stevens. I was qualified, as Secretary of the Army, holding the highest clearances, to enter the laboratory, but it was not clear whether anybody else was or wasn't. I made an on-the-spot decision that I wanted to see the lab, and I would take with me those in the party who had been elected to the Congress by the people of the United States. That included Senator McCarthy, Senator Smith, and Congressman Auchincloss.

Mr. Jenkins. State whether or not Mr. Adams was admitted. Secretary Stevens. Yes, Adams, I believe was in. He has proper

clearance, and I think he was in.

Mr. Jenkins. You may proceed. Go ahead.

Secretary Stevens. We spent possibly 10 or 12 minutes in the lab. and then came out. When we came out I quickly became aware that Mr. Cohn was exceedingly angry because he had not been permitted

to go with us into the lab.

Mr. Jenkins. Now I want you to describe to the committee the reactions, the conduct, the statements of Mr. Cohn on that occasion, stating what you know personally, stating also information given to you by those present and whom you expect to use as witnesses in the investigation of this controversy.

Secretary Stevens. All right, Mr. Jenkins. Colonel BeLieu, my

military assistant, told me that Mr. Cohn-

Mr. Jenkins. Is he the young man sitting behind you now?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Go ahead.

Secretary Stevens. That Mr. Cohn had been very provoked, and that he had made statements substantially as follows: "This is war. I am cleared for the highest classified information. I have access to FBI files when I want them. They did this just to embarrass me. We will now really investigate the Army."

I also learned later that within the hearing of Lieutenant Corr-Mr. Jenkins. Will you identify him? You are identifying him

Secretary Stevens. Aide to General Lawton, the commanding general at Fort Monmouth, and of Mr. Slattery, who is the head of the countermeasures division at Fort Monmouth, that within their hearing Mr. Cohn was heard to say, "This is a declaration of war."

Mr. Jenkins. I will ask you whether or not Corr was and is a

lieutenant?

Secretary Stevens. That is correct.

Mr. Jenkins. Do you know what his reply was or what statement Corr made to you or the commanding officer?

Secretary Stevens. No, I don't know that I do.

Mr. Jenkins. Are you reliably informed by those whom you will have present to establish that fact, what Corr's reply was, and will you please state it?

Secretary Stevens. I can't state it, Mr. Jenkins.

Mr. Jenkins. Very well. I understood you to say you could. Secretary Stevens. But Lieutenant Corr can and will.

Mr. Jenkins. Will he be available as a witness?

Secretary Stevens. He will. Mr. Jenkins. All right.

What next was done or said at Fort Monmouth on October 20?

Secretary Stevens. Yes, sir. This particular lab, and then we went into another secret lab, and we had approximately the same divide-up of people but that was a relatively short visit and when we came out and we finally got the party together, it was still very apparent to me that Mr. Cohn was very much provoked by the whole proceeding. Then we went back to the headquarters building, the same room we had been in before, and we had a sort of a box luncheon in that building.

Mr. Jenkins. I want you to tell what transpired at that luncheon. Secretary Stevens. Well, Mr. Cohn was so obviously provoked by the whole proceeding that I took it upon myself, Mr. Jenkins, to try to

calm him down a little bit, you might say.

Mr. Jenkins. What did you say or do with the idea of "calming"

him down," as you put it?
Secretary Stevens. Well, I said it was too bad that there wasn't time available at the door of the laboratory to make all of the necessary inquiries about who was cleared for what, and therefore I had made that on-the-spot decision and I certainly did not intend to offend anybody by it, but I did the best I could and I did not intend it as any offense to Mr. Cohn or anyone else.

Mr. Jenkins. Was that in the nature of an apology, Mr. Secretary?

Secretary Stevens. I would say that it was.

Mr. Jenkins. Very well. You may proceed. Secretary Stevens. Well, I would say it was in the nature of an apology. I don't know sir, I am trying to rethink that one over as to whether "apology" is the right word; I knew that I had not done anything that was wrong on the one hand; and I felt in my heart I had

done what was right. I tried to protect the interests of the United States.

Mr. Jenkins. Did you make any effort on that day to stop this in-

vestigation of the First Army Area and Fort Monmouth?

Secretary Stevens. No, sir; I did not. We talked about it at length

in the meeting.

Mr. Jenkins. Were those statements that you made, whether they could be construed as an apology or not, designed to prevent the decla-

Secretary Stevens. No, sir; they certainly were not.

Mr. Jenkins. Or a continued investigation of Fort Monmouth? Secretary Stevens. When there is a declaration of war, Mr. Jenkins, I am Secretary of the Army; and there was a declaration of war, and I am the Secretary of the Army.

Mr. Jenkins. Very well. Secretary Stevens. For purposes of this hearing.

Mr. Jenkins. Mr. Secretary, did anything else occur on the day of

October 20?

Secretary Stevens. Well, after some discussion after lunch, there was a press conference, Senator McCarthy was there and Senator Smith, and Congressman Auchincloss, and myself, and I think most of the other gentlemen were in the room, and questions were put back and forth. Mr. McCarthy made some statements and so did I, and later we went out and I appeared with Senator McCarthy before the cameras on the lawn, outside. And then I proceeded back or we proceeded back to the airport and I returned to Washington.

Mr. Jenkins. And that is a narration, as we understood it, of all the events that you consider important that occurred on October 20?

Secretary Stevens. Yes, sir, I think those are the important ones. Of course, I could talk a lot more about that today.

Mr. Jenkins. Mr. Secretary, did the Senator and his staff return to Washington with you that afternoon or evening?

Secretary Stevens. My recollection is, and I would have to check

this, my recollection is that they-

Mr. Jenkins. To refresh your recollection, was that or not the date upon which the Senator had official business in Boston? I may be in error about it.

Secretary Stevens. No, I think not, sir.

Mr. Jenkins. Very well. Did the group— Secretary Stevens. As a group, most of us came back, but I couldn't say positively that nobody went from Monmouth to New York. Per-

haps somebody did. Mr. Jenkins. When was your next contact with the staff? That is,

the investigative staff.

Secretary Stevens. Well, David Schine called me up on the 21st of October, I think that was the next day.

Mr. Jenkins. And what was said to you on that occasion by David Schine?

Secretary Stevens. Well, David Schine, still, I think, harbored the hope, shall we say, that he could do some special job of investigation rather than-

Mr. Jenkins. With the Army?

Secretary Stevens. Yes.

Mr. Jenkins. In lieu of his services with the committee, is that what you understood?

Secretary Stevens. Yes, in the event that he actually was taken

into the Army.

Mr. Jenkins. Was there anything else of interest in your conversation with David Schine on October 21?

Secretary Stevens. I don't recall at this moment. Mr. Jenkins. By whom were you next contacted? Secretary Stevens. I was contacted by Mr. Cohn.

Mr. Jenkins. The date?

Secretary Stevens. The date was the 27th of October.

Mr. Jenkins. Were you in conference with Mr. Cohn on the 27th of October?

Secretary Stevens. On the telephone.

Mr. Jenkins. Will you please relate the conversation that occurred

at that time?

Secretary Stevens. Well, Mr. Cohn said, Mr. Cohn advised me, that David Schine was going to be inducted into the Army on the 3d of November, and he said he had two ideas in mind with respect to this. Mr. Jenkins. This is a telephone conservation you are relating?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Very well. Between you and Mr. Cohn?

Secretary Stevens. Yes, sir. Mr. Jenkins. Very well.

Secretary Stevens. One idea was that David Schine should be given a furlough, and assigned to New York. The other idea was—Mr. Jenkins. Do you mean a furlough beginning at the beginning

of his service in the Army?

Secretary Stevens. That is what I gathered from the conservation.

Mr. Jenkins. All right.

Secretary Stevens. The other idea was that maybe the Central Intelligence Agency could use David Schine. I said I would be glad to talk to Allen Dulles about that, the head of CIA, if he wanted me to, and I did, the next morning.

Mr. Jenkins. With what result? Secretary Stevens. Negative.

Mr. Jenkins. Did you so advise Mr. Cohn?

Secretary STEVENS. I did.

Mr. Jenkins. By telephone or otherwise?

Secretary Stevens. By telephone.

Mr. Jenkins. Personally or through one of your subordinates?

Secretary Stevens. Myself.

Mr. Jenkins. What was Mr. Cohn's reaction to that information? Secretary Stevens. Well, Mr. Cohn's reaction to that was that he went back to the furlough business, and I indicated that in order to—if it was necessary, in order to facilitate the work of this committee during the transition period of David Schine from a consultant to this committee to the status of a selectee in the United States Army, that I would see if I could arrange 2 weeks of temporary duty for him at First Army in New York for the purpose of being available to finish up his committee work. He said he would take that up with Senator McCarthy and let me know.

Mr. Jenkins. Did he let you know?

Secretary Stevens. Yes, he did. He said that the arrangement was okav.

Mr. Jenkins. You did agree, then, for Mr. Schine to be assigned to New York City during the first 2 weeks of his basic training; is

that what we understand, Mr. Secretary?

Secretary Stevens. No, sir; it was not. The basic training was not to start until later, Mr. Jenkins. That was during the so-called pre-indoctrination period. I agreed that David Schine could go on temporary duty at First Army if needed by this committee for purposes of committee work.

Mr. Jenkins. Very well.

Secretary Stevens. And I would like to say, if I may, sir, that the reason that I made that agreement was this: I did not want the United States Army to be in the position, in any conceivable way, of obstructing the work of a committee which was then engaged in investigating the Army.

Mr. Jenkins. Had you been advised that Mr. Schine's work with

the committee was in reference to investigation of the Army?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And that it was regarded as essential, and that he had reports to make on his investigations which had not been completed?

Secretary Stevens. That is right.

Mr. Jenkins. And was your agreement made pursuant to that understanding?

Secretary Stevens. That is right.

Mr. Jenkins. That was under date of October 27?

Secretary Stevens. Mr. Cohn's——Mr. Jenkins. Is that correct?

Secretary Stevens. No, sir. Mr. Cohn called me on the 27th on the two points that I mentioned. I called him back on the 28th. He said he would take it up with Senator McCarthy and he called me back on the 31st.

Mr. Jenkins. When were you next contacted by any member of the

investigating staff?

Secretary Stevens. Let's see. I think the next time that I saw any of them, Mr. Jenkins—

Mr. Jenkins. Either by telephone or personally.

Secretary Stevens. I think it was on the 6th of November. Mr. Jenkins. And will you tell the committee about that?

Secretary Stevens. Yes, sir.

I think that, if you wish, it may be pertinent to say at this point that in respect of the temporary duty effective November 3——

Mr. Jenkins. That was the date of Schine's induction into the

Army, as we understand, November 3.

Secretary STEVENS. That is correct; that almost about the time that he was assigned to First Army, Mr. Adams received word from Senator McCarthy that the temporary duty he would like to have canceled.

Mr. Jenkins. Upon what ground?

Secretary Stevens. This, of course, comes to me from Mr. Adams. Mr. Jenkins. Mr. Adams will be available as a witness, as we understand it.

Secretary Stevens. That is right.

He said that Senator McCarthy said that he didn't think that David Schine ought to stay at First Army on temporary duty because the newspapermen might pick it up and that might prove embarrassing to him.

Mr. Jenkins. All right.

Now, you have been asked about the events of November 6.

Secretary Stevens. Yes, sir. The events of November 6 were in the form of a luncheon at my request in my office, at the Pentagon. Senator McCarthy was there, Mr. Cohn was there, and Mr. Carr was there, and Mr. Adams was there.

Mr. Jenkins. What was the purpose of that meeting? Why did

you call him?

Secretary Stevens. The purpose of the meeting was to discuss the Fort Monmouth investigation in the first instance, that was the primary purpose; and the second one was—

Mr. Jenkins. Was the Fort Monmouth investigation then under

headway?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Being given wide publicity? Secretary Stevens. Yes, sir.

Mr. Jenkins. By the press? Secretary Stevens. Very wide.

Mr. Jenkins. All right. I want you to tell the committee the events of November 6 in your office in the Pentagon at which time you, the Senator, Mr. Carr, and Mr. Cohn were present, and anyone else present.

Mr. Welch. Mr. Chairman, I would like to say to Mr. Jenkins, through you, that because his mind moves as swiftly as he does, he sometimes cuts off the witness before his answer is completed.

Mr. Jenkins. I beg your pardon. I do not intend to.

Mr. Welch. Mr. Stevens started to say there were two subjects,

and he was allowed only to state the first.

Senator Mund. We will let the Secretary state the other purpose. Secretary Stevens. The other purpose, from my point of view, was in order to introduce the new Chief of Staff, the new G-2, and the new Chief of Information, respectively, General Ridgway, General Trudeau, and General Mudgett, to Senator McCarthy and his associates. I wanted them to know these gentlemen, to know the type of leadership that we have in the Army, and to witness my charge to them and their complete cooperation insofar as the work of the committee was concerned.

Those were my two principal objectives in suggesting that luncheon. The Senator and Mr. Cohn and Mr. Carr came to the luncheon, which was served in my office and I would say lasted for approximately an hour and a half, after which the three generals came in, and we had another hour and a half of discussion after their arrival; I would say

approximately a 3-hour meeting.

Now, at the luncheon I discussed with them the Fort Monmouth investigation, and I told them that I felt that it had served its purpose; that we were on top of everything that they had given us, and we were following up, and we had had information on every name that had been turned up anyway, and that I wanted to have the Army carry out and, if you will, subject to the approval of this committee, in the sense that I said that I would render progress reports as to how

we were doing; and if it wasn't satisfactory, I knew full well the committee would point that out, but I wanted to stop the hammering and the headlines of the press of the country of the Army, which was creating the impression that there was widespread espionage at Fort Monmouth when such was not the case.

Mr. Jenkins. Very well. On that occasion—that is, November 6—what, if anything, was said to you or to Mr. Adams or anyone else present, by a member of the McCarthy investigating staff, with respect

to G. David Schine?

Secretary Stevens. Well, the question of David Schine being available and the necessity for his being available for committee work was stressed considerably.

Mr. Jenkins. By whom?

Secretary Stevens. It was stressed by Senator McCarthy.

Mr. Jenkins. Now please tell as accurately as is possible what the

Senator said about David Schine.

Secretary Stevens. Well, he said that they had these reports that were overdue to the committee, and they had to have them made up; and that David Schine was going into the Army, and that he had a lot of information, a good deal of it in his head, that had to be made available, and that they must have availability to G. David Schine.

Mr. Jenkins. I believe Schine was then in the Army?

Secretary Stevens. That is correct.

Mr. Jenkins. Mr. Secretary, you stated a while ago on direct examination that you had only one positive, definite recollection of Senator McCarthy himself discussing David Schine with you with respect to securing a favor or preferential treatment; is that correct?

Secretary Stevens. Would you restate that, sir, or can the stenog-

rapher read the statement?

Senator Mund. The Chair will ask the reporter to read the question.

(Whereupon, the question was read by the reporter as above

recorded.)

Secretary Stevens. I have the definite recollection of Senator McCarthy asking me for a commission for David Schine for one thing, and also asking me to insist on it or rather insisting on his being available for this committee work.

Mr. Jenkins. I was wondering if this meeting of November 6 was the date you had in mind with respect to your positive recollection

of Senator McCarthy's intercession for Schine.

Secretary Stevens. Not with respect to a commission.

Mr. Jenkins. Now, perhaps I cut you off.

Had you completed your testimony with respect to the conversation on the part of the Senator on November 6?

Secretary Stevens. No.

Mr. Jenkins. With respect to Schine?

Secretary Stevens. No; in respect to Schine I think I have stated it.

Mr. Jenkins. You have stated it?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Did anyone else on the committee discuss with you Schine on that date?

Secretary Stevens. Senator McCarthy did most of it that day. Mr. Jenkins. Do you recall Mr. Carr stating anything whatever that day? Secretary Stevens. No, sir.

Mr. Jenkins. Do you recall Mr. Cohn making any statement what-

ever that day with respect to Schine?

Secretary Stevens. My recollection is that Mr. Cohn took part in that conversation, but not to the extent that the Senator did on that occasion.

Mr. Jenkins. The burden of it was that he still had uncompleted reports that they wanted, on committee work?

Secretary Stevens. That is right. Mr. Jenkins. Is that correct?

Secretary Stevens. That they needed to help them to get the com-

mittee reports up with.

Mr. Jenkins. As we understand the last hour and a half of that conference, it was attended by your Chief of Staff, General Ridgway, General Trudeau, and General Mudgett, and was anything stated in their presence with respect to Schine by the McCarthy committee?

Secretary Stevens. I don't think so; no, sir.

Mr. Jenkins. Did or did not you have any contact or anyone con-

tact you on the following day, November 7?

Secretary Stevens. Yes, sir, but I think that I should maybe—Mr. Jenkins. You may feel free to do so if I have cut you off.

Secretary Stevens. It isn't cut off, Mr. Jenkins, but I think this is important, that in respect to the matter that I mentioned before, namely, the hammering over the head of the Army persistently, creating the impression that there was espionage in a big way at Fort Monmouth, which I say was not so, that I told Senator McCarthy and his associates that I had been in office for 10 months, and I had some responsibilities that I had assumed, and that if they kept on with these headlines, which in my opinion were utterly unfair, that they could drive me out of office if they wanted to.

Mr. Jenkins. Was that stated on November 6?

Secretary Stevens. Yes, sir.

Senator McCarthy. Mr. Chairman, a point of order. I think the record should show that the chairman of the committee has no control whatsoever over headlines, or over what the press says. If the Chair is to be criticized—

Senator Munder. That is not a point of order; you will have an opportunity during cross-examination to bring out those points.

Secretary Stevens. I would like to state right now with reference to that, after an executive committee meeting of this committee, Senator McCarthy goes out and addresses the press, and he tells them exactly what he pleases, and that is where the stories are generated.

Senator McCarthy. Mr. Chairman, a point of order. If the Secretary is going to discuss what I say after an executive meeting I think the record should show that his man Adams was present at every executive meeting, and that his man Adams was invited to sit with me each time I talked with the press; and that Mr. Adams was invited to correct any statement that I made if he felt I was in error. A point of order.

Senator Mund. What is the point of order?

Senator McCarthy. If Mr. Stevens would intimate that some improper statement was made to the press after any meeting, then he should give us the date, and the time, and the place, and tell what the improper statement was.

Mr. Jenkins. That is a question of cross-examination, and Senator McCarthy will have that opportunity shortly. I hope it is shortly.

Senator Munder. May the Chair suggest—and this may solve the problem—that we expunge from the record everything beginning with the Senator's first point of order, including the Secretary's answer, and it can be brought out in cross-examination pertaining to what took place in the executive session.

Senator Jackson. May I just suggest that it is pretty hard to expunge from the record that which again, as I said yesterday, is all over America at once, and I think perhaps if we were in a court of law it would be different, but I think we have to be a bit moralistic about it.

Senator Mundr. We will leave it in the record; it is on the television

screens anyhow and we will proceed in order.

Mr. Jenkins. Now, you were telling about a statement you made to the effect that if this thing continued and these headlines were emblazoned on the front page of the paper, it would drive you out of office.

Secretary Stevens. I said that it could, that such a thing could happen and Senator McCarthy said that that was not his intention. We discussed further the question of how to handle this Fort Monmouth situation. Senator McCarthy then said that he was planning to look into some situations in industrial plants, and I stated that the Army, and in fact the whole Defense Department was very much interested in that subject and had problems connected with it.

I think, Mr. Jenkins, that that covers what I recall of the November

6 meeting that is pertinent at this time.

Mr. Jenkins. You stated when I unhappily interrupted you, that you received a call on November 7.

Secretary Stevens. Yes, sir. Mr. Jenkins. From whom?

Secretary Stevens. From Senator McCarthy.

Mr. Jenkins. Do you recall the time of day that call came in?

Secretary Stevens. Not precisely; no, sir.

Mr. Jenkins. Did you personally talk to Senator McCarthy on that day?

Secretary Stevens. I did.

Mr. Jenkins. I will ask you, Mr. Secretary, first of all, does the Army or does your office, you, as Secretary, sometimes have a telephone conversation monitored?

Secretary Stevens. Mr. Jenkins, I would like, if I may, to take a moment here in order to tell this committee precisely what happened.

Mr. Jenkins. That would be the next question as to why you did it. But do you sometimes have one monitored?

Secretary Stevens. If I may, I will tell you what the procedure

Mr. Jenkins. If you want to answer the next question now, go right

ahead, it is quite all right.

Secretary Stevens. When I came into the office of Secretary of the Army, I made inquiry as to, of course, as to who my various assistants were, and got acquainted with them. And I found that outside of my door, at a desk there, sits a competent civil servant by the name of Jack Lucas.

I don't know just how long Mr. Lucas has been in that particular job, except that I do know that he was there throughout the service

of Frank Pace, as Secretary of the Army, and I believe back into Frank Pace's predecessor's regime. I inquired as to what the procedure was, and I will explain to you what that procedure is, and I

left it unchanged as I came into office precisely as I found it.

The procedure is this: When a telephone call comes in, Mr. Lucas stays on the line. The reason he stays on the line is in order to assist the Secretary in doing his job. Let me give you an illustration. Suppose I receive a telephone call from somebody in Chicago, who invites me to come to Chicago to address the annual convention of some organization. And suppose, by a quick glance at my calendar I find that I can accept this engagement, and decide that I ought to, in the interest of the Army. I then say, "I will accept this invitation."

The following things have then been set in motion, Mr. Lucas, be-

ing on the line: first, when and where this appearance is to be; second, transportation to and from Chicago; third, hotel reservation in Chicago; fourth, advice to the Fifth Army headquarters in Chicago, because when I go into one of the Army areas I always want to notify the area commander, and fifth, it will be necessary to get some facts

together in order to prepare this address.

Now, when I finish that telephone conversation, I put down that receiver, and as far as I am concerned, that is the end of it, and I carry on with the busy duties of a Secretary of the Army without further thought until the time comes when, for actually leaving on the trip or for the preparation of the remarks that I am going to make.

In the meanwhile, Mr. Lucas will have dispatched little memoranda to appropriate members of the staff to begin to implement the five points which I have just outlined to you. Having done that, he files his notes away, and that is the end of it. But he is on the telephone in the manner I have just described.

Mr. Jenkins. Was this telephone conversation between you and Senator McCarthy as of November 7 monitored? I am not asking

now for the report, I say was it monitored. Secretary Stevens. Mr. Lucas was on the line.

Mr. Jenkins. I will ask you to state, from your recollection, now, and not any monitored record, the tenor of that conversation.

Mr. Welch. Mr. Chairman?

Senator MUNDT. Have you a point of order, Mr. Welch?

Mr. Welch. We are presented with a legal problem that I think

is susceptible to reasonably quick solution.

Mr. Jenkins. I am merely asking him to relate a conversation now irrespective of it being monitored between him and Senator McCarthy. I am not asking for the monitor's report now, Mr. Welch. I am asking him to tell what was said, whether it was monitored or whether it

Senator Mundt. Are you satisfied, Mr. Welch? Is that satisfactory?

Mr. Welch. I think we may still have to face the legal decision, and I think it can be handled without difficulty. But we don't face it at this moment.

Mr. Jenkins. Will you tell now what that conversation was, Mr.

Secretary?

Secretary Stevens. Well, Senator McCarthy called, and this was the day after the luncheon in my office, and he asked me if everything had gone all right, and I said yes, that it had, and I thanked him. He went on then to discuss David Schine and said that he did not want David Schine assigned back to this committee.

Mr. Jenkins. That is, to his committee? Secretary Stevens. That is right.

Well, as I had never had any intention of assigning David Schine back to this committee once he was inducted into the Army, there was no problem in my mind in quickly agreeing that he would not be assigned back to the committee. Senator McCarthy gave some reasons as to why he felt that way, which added up to raising a question in my mind as to just how important Mr. Schine was to the committee.

Senator McCarthy. Mr. Chairman, a point of order.

Senator Mundt. State your point of order.

Senator McCarthy. Mr. Chairman, in view of the fact that with each of the members of the committee getting a certain time to cross-examine before I have a chance to examine the Secretary, I think in fairness the Secretary could be asked to give the reasons that I gave him, namely that it would be improper to assign a man to the committee. He has left the inference now that I have asked David Schine not to be assigned to the committee.

Mr. Jenkins. Mr. Chairman?

Senator McCarthy. May I finish my statement?

He has left the impression—

Mr. Jenkins. Senator, you will have the opportunity to cross-

examine and ask those very questions.

I take the position that Senator McCarthy is now making a statement of facts that is improper at this time. I intend to cross-examine the Secretary, probably with respect to the very things that the Senator has mentioned, and then he will have his opportunity. I object to those statements as being improper at this time.

Senator McCarthy. May I suggest to the able counsel that he hold

his objection until I finish my sentence.

As I started to say——

Senator Mundt. Is this still a point of order, Senator McCarthy?

Senator McCarthy. Yes; it is still a point of order.

The Secretary, I fear, has left the impression that I asked that Schine not be assigned to my committee because of some incompetence on the part of Schine. I ask counsel, and I assume counsel is going to do that anyway—I wish counsel would clear up the facts and make it very clear that the only reason I asked him not to assign Schine to the committee was because I told him it would be improperly interpreted in some quarters as a favor—

Mr. Jenkins. Senator, I intend to do all of that on cross-examina-

tion.

I cannot, Mr. Chairman, in the nature of things, cover this entire story on direct examination, and if I fail in my duty to do so, I again remind Senator McCarthy that he has the opportunity to cross-examine at length, and I do not think that the inquisition, or the statement, at this time—

Senator Mund. Counsel will proceed. I am sure he will develop the full facts. If not, Senator McCarthy will have complete oppor-

tunity to ask the questions.

Senator McCarthy. Mr. Chairman, may I say the reason I raise this point at this time is, it will probably be tomorrow or the next

day before I have a chance to examine the witness, and I think it would be completely unfair——
Senator Mund. The counsel has assured the Senator he expects

to do that this morning.

Mr. Jenkins. And will in all probability be fully covered this afternoon.

Senator McCarthy. O. K.

Mr. Welch. Mr. Chairman, could I suggest that I think an orderly procedure would be to clear the legal hurdles and have the monitored telephone conversation placed in evidence.

Mr. Jenkins. May I ask if you have now stated from your recollection, regardless of any monitored proceeding, the full conversation

had with you by Senator McCarthy on November 7?

Secretary Stevens. No, sir.

Mr. Jenkins. If not, proceed to do so.

Secretary Stevens. And may I say, Mr. Chairman, that the one thing I don't want to do is to create any impression that is unfair to anybody.

Senator Mundt. I am sure if you will elucidate those reasons, we

can do that.

Secretary Stevens. I want to give all of the facts, but when you are searching your memory and trying to testify, if you overlook some point, it is, I guess, a human frailty, and I will not do so intentionally. I will put the facts out here on the table—good, bad, and indifferent—as far as I know them.

Mr. Jenkins. Will you go ahead?

Secretary Stevens. I had not finished my statement when I was interrupted.

Mr. Jenkins. You have been asked to do so now.

Secretary Stevens. I was going to say that Senator McCarthy did say that he thought this would be misinterpreted, the reassignment of David Schine to this committee. He thought it would be misinterpreted and would be bad from that angle. If I cast any reflection in my recollection as I am trying to recall on David Schine in what I said previously, I did not intend it in that manner. I intended it merely in my efforts to get the facts before the committee. Now, in that conversation Senator McCarthy says that one of the few things that he had trouble with Mr. Cohn about was David Schine. He said that "Roy thinks that Dave ought to be a general and operate from a penthouse on the Waldorf Astoria," or words to that effect. Senator McCarthy then said that he thought a few weekends off for David Schine might be arranged, or words to that effect. Perhaps for the purpose of taking care of Dave's girl friends.

Now, I have searched my memory, Mr. Jenkins, and that is about

the conversation as I recall it.

Mr. Jenkins. That embraces, as you recall it, the conversation between you and Senator McCarthy on that day?

Secretary Stevens. Yes.

Mr. Jenkins. Did you say that that conversation was monitored?

Secretary Stevens. I said that Mr. Lucas was on the wire.

Mr. Jenkins. Do you have a record made by Mr. Lucas of that conversation? And I have not asked for it yet, Mr. Welch; I am asking if he has a record made by Mr. Lucas of that conversation.

Mr. Welch. Well, as you know, Mr. Jenkins, I do not wish to keep the monitored telephone conversation out of this hearing, and I only want the proper legal setup made so that it can go in as I view the law, which I have discussed with you, and I think we are at that point.

As you know, Mr. Jenkins, a special subpena was served on Mr. Stevens requiring him to bring, among other things, this monitored conversation. In response to that subpena, which I wish placed in the record at this point, he has brought this monitored conversation to this room.

In a meeting of another committee, at which Senator Symington was present, it was stated that there were such monitored conversations so that their existence is not actually a secret. It follows that there are in this room, or is in this room, a transcription of this, of the notes that Mr. Lucas made, and they have been produced under a subpena which I wish to be made a part of the record. And if this committee votes that Mr. Stevens must produce and disclose, he is prepared to do so. But I ask that he have the protection both of the subpena and of a committee vote, ordering him to produce.

Senator Mund. Does the chair understand that you raise the point of order that before the notes are produced, and introduced, you would

like a vote by the committee?

Mr. Welch. We are dealing with the Federal Communications Act, which puts certain restrictions on monitored telephone calls, and I think that no Army man may properly produce these unless a committee of the Senate orders him to do so.

Senator Mund. Does the chair understand that you have raised the point of order that before producing the notes, you would like to

have a vote by the committee?

Mr. Welch. That is precisely correct.

Mr. Jenkins. I now ask the committee to take a vote on whether or not this monitored report, a transcription of it, together with the original shorthand notes, shall be produced to the committee for its consideration.

Senator McCarthy. Mr. Chairman, I think that the counsel should first develop whether or not the Secretary has a verbatim transcript of the telephone conversation. I think otherwise it is impossible for the committee to intelligently decide whether or not the monitored conversations would be part of the record.

May I say I think it is one of the most indecent and dishonest things

I have heard of. A point of order.

Mr. Jenkins. Mr. Chairman—

Senator McCarthy. A point of order.
Mr. Jenkins. I ask the chairman to instruct the Senator that those statements are improper at this time.

Senator McCarthy. A point of order.

Senator Mundt. A point of order without argument.

Senator McCarthy. I say it is completely indecent and improper to take a recording of a conversation without notifying the person on the other end that it is being taken. Let me finish, if you please. I insist upon making this point of order, Mr. Chairman. May I do it without interruption?

Senator Mundr. What is your point of order?

Senator McCarthy. The point of order is this: That while I think it is completely improper as I started to say, indecent, and illegal

under the laws, to record a conversation without notifying the person on the other end, I personally would want the conversation in this case made a part of the record, if it is a verbatim transcript.

Mr. Jenkins. I shall ask him that question.

Senator Mund. The Chair is going to uphold your point of order, that before we vote on it we should find out whether there is such a

transcript. That question will be asked.

Senator McCarthy. May I finish—and we are losing a lot of time and I think I am entitled to this; it is an important point. If, however, this is the recollection of some individual of what occurred months ago, if it merely consists of notes that he made, and not a verbatim transcript, then I think it should not be made a part of the record.

If it is a verbatim transcript, I will want it a part of the record,

no matter how illegal the act in its inception was.

Mr. Jenkins. I am prepared to explore that subject now.

Senator Mund. The Chair will uphold the point of order, and the counsel will interrogate Mr. Stevens as to whether or not he has

a transcript to produce.

Mr. Welch. Could I say a word, Mr. Chairman? Mr. Jenkins fully understands the somewhat difficult legal question here presented, and with extreme courtesy he did not interview Mr. Lucas, who took the notes, and he did not ask to see his notebook, and he is merely informed that there is a transcription now in this room for which the committee may call if it wishes.

I have not anything to say except the transcription is here, and as I view it it can neither be produced nor testified about unless and

until this committee votes that you want it.

Senator Mund. The Chair has ruled that before asking the committee to vote, he wants to find out whether or not there is actually a transcript of the conversation present. The only way I can find that out is to have the counsel interrogate the Secretary on that point.

Mr. Jenkins. Mr. Stevens, do you have a transcription of that con-

versation?

Mr. Welch. Could I hear that question read?

Senator MUNDT. The reporter will read the question.

(Whereupon the question was read by the reporter as above recorded.)

Secretary Stevens. Yes.

Mr. Jenkins. By whom was it made? Secretary Stevens. By Mr. Lucas.

Mr. Jenkins. Where is Mr. Lucas? Is he here available?

Secretary Stevens. Yes, sir; he is in my office. Mr. Jenkins. Have you read that transcription?

Secretary Stevens. I have looked at it.

Mr. Jenkins. Have you read it? Secretary Stevens. Yes, sir.

Mr. Jenkins. State whether or not that transcription was made from memory or whether or not it was made from notes taken at the time and simultaneously with this conversation?

Secretary Stevens. It was made from shorthand notes taken at the

time of the conversation.

Mr. Jenkins. And you say you have read it?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Is not it an accurate, verbatim report of your conversation with Senator McCarthy?

Secretary Stevens. I would say it was. Senator McCarthy. Mr. Chairman. Senator Mundt. Senator McCarthy.

Senator McCarthy. Again may I say I think if there is a verbatim recording of this conversation, it should be put into the record, but I think it should not be put into the record until Mr. Lucas is here under oath and swears that it contains everything that was said, and is examined as to complete accuracy. If that is done, I frankly think it should be put into the record. I do not think Mr. Stevens—and this is no reflection upon you, Mr. Secretary—

Senator Mundt. The Chairman will uphold Senator McCarthy's point of order. We will have Mr. Lucas sworn and testify before

receiving the evidence.

Mr. Jenkins. I concede, in my opinion, Senator McCarthy is right about it. It is now practically adjourning time. May I suggest that the meeting now be adjourned and that Mr. Stevens stand aside until 2:30, and Mr. Lucas be put on at that time.

Senator Mundt. The committee will take a recess until 2:30. Mr

Lucas will be the first witness.

(Whereupon, at 12:25 p. m., the hearing was recessed until 2:30 p. m., of the same day.)

APPENDIX

EXHIBITS

No. 1

STEVENS-ADAMS CHRONOLOGY

1. Mid-July 1953: Maj. Gen. Miles Reber, then Chief of Army Legislative Liaison, received a phone call stating that Senator McCarthy desired to see him. He went to the Senator's office and Senator McCarthy there informed General Reber that he was very interested in securing a direct commission for Mr. G. David Schine, a consultant to the Senate Permanent Subcommittee on Investigations, on the basis of Mr. Schine's education, business experience, and prior service with the Army Transport Service. Senator McCarthy said that speed was desirable since Mr. Schine might be inducted into the Armed Forces under the Selective Service Act. During the meeting Mr. Roy Cohn, chief counsel of the subcommittee, came in the room and emphasized the necessity for rapid action.

2. July 15, 1953; Mr. Schine called the Office of the Chief of Legislative Liaison (OCLL), Department of the Army, on the telephone and asked whether he could come to the Pentagon that afternoon and "hold up his hand." He was advised that it would be necessary to submit an application for a commission. He came to OCLL in the Pentagon where he was assisted in completing the necessary application blanks. He was also taken to the Pentagon Dispensary for a physical

examination.

3. July 15-30, 1953: Mr. Schine's application for a commission was considered by the Chief of Transportation, the Provost Marshal General, and the Commanding General of First Army. All three determined that Mr. Schine was not qualified for a direct commission and he was so notified by letter dated July 30, 1953, from the First Army and confirmed by General Reber. During the period from the time of the initial request by Senator McCarthy concerning the commission for Mr. Schine to the time of the final decision that Mr. Schine was not qualified for a commission, there were inquiries from the committee staff to OCLL as to the status of the application.

4. August 1, 1953: Mr. Cohn requested OCLL to explore the possibility of obtaining a Reserve commission for Mr. Schine in either the Air Force or the Navy. These explorations were undertaken with negative results. Mr. Cohn

was so advised during the month of August.

5. September 30, 1953: Mr. Cohn telephoned Secretary Stevens and stated there were two matters which he desired to discuss with the Secretary. An

appointment was made for October 2, 1953.

6. October 2, 1953: Mr. Cohn and Mr. Francis Carr, executive director of the Senate Permanent Subcommittee, conferred with Secretary Stevens for approximately 35 minutes. The purpose of the meeting was to discuss in some detail plans for the Fort Monmouth investigations. During the course of such discussions Mr. Cohn asked the Secretary about an assignment in the New York City area for Mr. Schine, when inducted. Mr. Cohn stated that it was desirable to have Mr. Schine available for consultation to the staff of the committee to complete certain work with which Mr. Schine was familiar and that the Army must have several places in the New York City area where Mr. Schine could perform Army work. The Secretary did not agree with this suggestion and pointed out that Mr. Schine should follow the same procedures for assignment as any other private in the Army.

7. October 14-17, 1953: At some point during this period, Mr. Cohn requested Secretary Stevens to assign Mr. Schine to temporary duty in New York after his induction for the purpose of completing committee work. Secretary Stevens suggested that 15 days of temporary duty might be arranged between induction

and training for the completion of committee work.

8. Mid-October 1953: During the course of hearings in the courthouse in Foley Square in New York in mid-October 1953, at one time Senator McCarthy, Mrs. McCarthy, and Mr. John G. Adams, Department of the Army Counselor, were together. Senator McCarthy at this time told Mr. Adams that Mr. Schine was of no help to the committee but was interested in photographers and getting his pictures in the paper, and that things had reached the point where Mr. Schine was a pest. Senator McCarthy further said that he hoped nothing would occur to stop the ordinary processes of the draft procedures in Schine's case. Mr. Adams requested Senator McCarthy's permission to repeat the Senator's statements to Secretary Stevens. Senator McCarthy stated that he hoped Mr. Adams would promptly tell Secretary Stevens his views.

9. Mid-October 1953: On the next occasion when Secretary Stevens, Senator McCarthy, and Mr. Adams were together, which was within a very few days, Mr. Adams raised the subject of Mr. Schine. Senator McCarthy told Secretary Stevens and Mr. Adams that Mr. Schine was a nuisance but that Senator Mc-

Carthy did not want Mr. Cohn to know of these views on Mr. Schine.

10. October 18-November 3, 1953: During this 2-week period, Mr. Cohn and Mr. Adams spoke in person or on the telephone almost every day concerning an assignment for Private Schine to the New York City area. On these occasions, Mr. Adams suggested to Mr. Cohn that the Army had an obligation to 300,000 other men being drafted every year and that Mr. Schine wasn't the only college graduate to serve as a private. It was on these occasions that Mr. Adams first stated that the national interest required that no preferential treatment be given to Schine and explained to Mr. Cohn that he was 15 years older than Mr. Cohn and could speak from a wealth of experience as a Senate employee and in the Pentagon on this very subject. Mr. Cohn replied that if national interest was what the Army wanted he'd give it a little and then proceeded to outline how he would expose the Army in its worst light and show the country how shabbily it is being run.

Mr. Adams attended executive sessions of the subcommittee in New York. Mr. Cohn discussed Mr. Schine's assignment in the Army several times with Mr.

Adams.

11. November 3, 1953: Mr. Schine was inducted into the Army and was placed on 15 days' temporary duty in New York to complete committee work. The day following, Senator McCarthy said to Mr. Adams that members of the press and others might ask why Private Schine was still in New York. Senator McCarthy requested Mr. Adams to have the temporary duty in New York canceled. At that time, Mr. Cohn suggested to Mr. Adams that as long as it was the middle of the week the temporary duty be continued to the end of the week and Private Schine report the first of the following week. This was done.

12. November 3-6, 1953: Sometime during this period, Mr. Cohn had a conversation with Mr. Adams in which Mr. Cohn stated that members of the committee staff would have to go Fort Dix to conclude certain committee work upon

which Private Schine had been engaged.

13. November 6, 1953: At the invitation of the Secretary of the Army, a luncheon, attended by the Secretary, Mr. Adams, Senator McCarthy, Mr. Francis Carr, and Mr. Cohn, was held in the Pentagon. The principal subject of discussion at the luncheon was the Fort Monmouth investigation. During the course of the luncheon, however, Mr. Cohn asked when the Army would be able to arrange for a New York City assignment for Private Schine. Senator McCarthy also stated that he was interested in Private Schine's receiving a New York City assignment and suggested that Schine might be sent to New York with the assignment of studying and reporting to the Secretary on evidence of pro-Communist leanings in West Point textbooks. Mr. Cohn also requested that Private Schine be made available for committee work while he was undergoing basic training at Fort Dix. Mr. Stevens said that, if necessary to complete pending committee work, Private Schine would be permitted to leave the post on weekends after his training was concluded. Mr. Stevens further stated that if the committee staff found it necessary to consult with Private Schine during the week about committee matters, they might go down to Fort Dix and meet with Private Schine on the post in the evening at the conclusion of Private Schine's training after first clearing with General Ryan. Mr. Stevens also said that if a matter of urgency in committee work developed, Private Schine could be given permission to leave the post for that purpose in the evening after training. Normally, soldiers in their first 4 weeks of basic training at Fort Dix are not permitted to leave the post in the evenings, nor are they given weekend passes. This rule is a local one, and is subject to modification to permit new

arrivals to meet personal emergencies, family needs, or to close out commitments. The statement of Secretary Stevens, therefore, authorized Private Schine to be given passes if needed for committee business on the first 4 weekends when he might otherwise have been restricted and to be available to meet with the committee staff in evenings on post, if the committee needed Private Schine for committee business. It was, in effect, a modification to permit Private Schine to close out his professional commitments.

14. November 10, 1953: Private Schine boarded a bus at 39 Whitehall, New

York, and was transported to the reception center at Fort Dix, N. J.

15. November 11, 1953: Mr. Francis Carr and Mr. Cohn visited General Ryan, commander of Fort Dix, and requested to see Private Schine at the reception station. Private Schine was made available.

16. November 12, 1953: Some member of the subcommittee staff telephoned Fort Dix and requested that Private Schine be given a pass over the weekend.

The pass was issued.

17. November 17, 1953: Secretary Stevens and Mr. Adams Iunched with Senator McCarthy in New York. The Secretary, en route back to Washington, gave Senator McCarthy and members of the committee staff a ride in his plane to Maguire Air Force Base which adjoins Fort Dix, N. J. Private Schine was given a pass that evening to see Senator McCarthy and members of the committee staff.

18. November 18, 1953: Mr. LaVenia of the committee staff telephoned Fort Dix and requested that Private Schine be given a pass until his formal basic training started on November 23. (During this period from November 10 to 23, Private Schine was being processed and awaiting the beginning of the next cycle of basic training which was to begin on the 23d.)

19. November 19, 1953: Private Schine was given a pass commencing at 16:15 hours Thursday, November 19, until 2400 hours Sunday, November 22. (As

indicated, this was before his cycle of basic training started.)

20. November 23, 1953: Private Schine commenced 8 weeks' basic training cycle with Company K, 42d Infantry Regiment.

21. November 25, 1953: Private Schine was given a pass from the end of duty hours on Wednesday until 2300 hours on Thursday, November 26 (Thanksgiving holidays, no training scheduled).

22. November 28, 1953: Private Schine was given a pass from the end of duty

hours on Saturday until 2400 hours Sunday, November 29 (weekend).

23. December 8, 1953: General Ryan telephoned Mr. Adams from Fort Dix and stated that the matter of handling Private Schine was becoming increasingly difficult since the soldier was leaving the post nearly every night. General Ryan stated the Private Schine had been returning regularly to the post very late at night. General Ryan then stated that unless the Secretary objected he intended immediately to terminate Private Schine's passes on week nights. Mr. Adams advised General Ryan that from that moment forward, insofar as the Secretary was concerned, Private Schine was no longer available for committee business during the evenings of weekdays, but that in view of the Secretary's statement about weekends, Private Schine should continue to be available for committee work on weekends after he had concluded his training. Mr. Adams stated that General Ryan was authorized on behalf of the Secretary to advise all members of the committee staff that Private Schine could not leave the post on evenings thereafter.

24. December 8, 1953: The committee began open hearings in Washington

with Aaron Coleman as principal witness.

25. December 9, 1953: Just before the hearing opened in the morning Mr. Cohn spoke to Mr. Adams concerning the Army's prospective assignment of Private Schine, and Mr. Adams explained, as he had many times before, that Private Schine was going to be handled the same as any other private soldier. Mr. Cohn broke off this conversation in the middle, turning his back on Mr. Adams in the Senate Caucus Room.

At about 12:30 p. m., at the conclusion of the morning hearing, Mr. Adams followed Senator McCarthy to his office and conferred with him concerning the

inquiries of Mr. Cohn about Private Schine.

As a result of Mr. Adams' request, Senator McCarthy told Mr. Adams that he would write the Secretary of the Army a letter in which he would state that the committee had no further interest in Private Schine and that he hoped that Private Schine would be treated the same as other soldiers. Senator McCarthy also said he would ask the committee staff to observe the same rule. This letter

under date of December 22, 1953, was written by Senator McCarthy and received by the Secretary of the Army.

Mr. Adams returned to the Pentagon and in the middle of the afternoon received a telephone call from Mr. Cohn. Mr. Cohn stated to Mr. Adams that

he would teach Mr. Adams what it meant to go over his head.

26. December 10, 1953: The Washington hearings for that week concluded at noon on Thursday. At Senator McCarthy's request Secretary Stevens and Mr. Adams lunched with Senator McCarthy and Mr. Francis Carr at the Carroll Arms. According to Mr. Carr, Mr. Cohn was too upset to attend the lunch because of the Private Schine situation and the Army's unwillingness to settle on Private Schine's future assignment, and had departed for New York immediately after the conclusion of the morning hearings. At this luncheon there were extensive discussions led by Senator McCarthy as to the possibilities of an immediate New York assignment for Private Schine. The Secretary stated that Private Schine must complete his basic 16 weeks' training before his future assignment could even be discussed. During the luncheon Senator McCarthy suggested several times the possibility of a New York area assignment for Private Schine at the conclusion of 8 weeks at Fort Dix, pointing out that he knew of instances where trainees received assignments at the end of 8 weeks instead of 16 weeks.

27. December 11, 1953: On this day Private Schine was informed that thereafter training would be expanded to include Saturday morning duty. This was the first Friday following General Ryan's decision to prohibit Private Schine's leaving the post on evenings during the week. During the afternoon Mr. Adams had extensive long-distance conversations with Mr. Cohn from New York, all of them initiated by Mr. Cohn, and one of which lasted nearly an hour. During these conversations Mr. Cohn, using extremely vituperative language, told Mr. Adams that the Army had again "double crossed" Mr. Cohn, Private Schine,

and Senator McCarthy.

The first double cross, according to Mr. Cohn, was when the Army had not given a commission to Schine after promising one to him; the second double cross, according to Mr. Cohn, was that the Army had not assigned Private Schine immediately to New York; and another was that the Army canceled Private Schine's availability during week nights. The requirement that Private

Schine perform duties on Saturday mornings was a new double cross.

28. December 12-13, 1953: Private Schine was given a pass for the weekend. 29. December 17, 1953: On the morning of December 17, Senator McCarthy spoke to Mr. Adams at 10:30 a. m. at the entrance to the United States Courthouse in New York. He stated to Mr. Adams that he had attempted on the previous evening to telephone him. He stated that he had learned of the extent of his staff's interference with the Army with reference to Schine, and that he wished to advise Adams thereafter to see that nothing was done on the committee's behalf with reference to Schine. After the hearings, Senator McCarthy, Mr. Cohn, Mr. Francis Carr, and Mr. Adams were present together. Mr. Adams, in order to have Senator McCarthy state his views in front of Messrs. Carr and Cohn, suggested discussing the Private Schine situation. The discussion became heated and Mr. Cohn restated all the arguments which he had used before and referred to a so-called commitment that Private Schine be assigned to the New York City area immediately upon finishing basic training. Mr. Cohn was vituperative in his language. During this discussion, Senator McCarthy remained silent.

The party rode uptown in Mr. Cohn's car and Mr. Cohn continued his statements. Twice during the ride uptown and as Mr. Adams was getting out of the car, Senator McCarthy asked Mr. Adams to ask Secretary Stevens if the Secretary could find a way to assign Private Schine to New York. Senator McCarthy again suggested the possibility that the Secretary should put Private Schine on duty at Headquarters, First Army, with an assignment to examine the textbooks at West Point and to report to the Secretary as to whether they contained

anything of a subversive nature.

30. December 19-20, 1953: Private Schine was given a pass over the weekend. 31. December 24-27, 1953: Private Schine was given a pass (Christmas holi-

days)

32. Mid-December 1953: In mid-December, Mr. Adams discussed with the Office of the Adjutant General (TAG) of the Army what assignment was scheduled for Private Schine. Mr. Adams pointed out that neither the Secretary nor he would interfere with it, but that Mr. Adams wished to know what the qualification testing of Private Schine had developed. TAG advised that

Private Schine had been tested at Fort Dix, that he had been found physically disqualified for service in the Infantry because of a defect in his back, and that the primary Military Occupational Specialty (MOS) which had been developed was that of an Assistant Criminal Investigator. TAG stated further that quite probably Schine would be transferred at the conclusion of his 8 weeks' basic training to Fort Dix to the Provost Marshal General School at Camp Gordon, Ga., for training in the Criminal Investigators School. TAG advised that the length of the course was 8 weeks.

Following these discussions with TAG, Mr. Adams went to Secretary Stevens and discussed the results of the qualification testing with him. Mr. Adams stated that an assignment to Camp Gordon for Private Schine would be the normal course of action that would follow from the qualification testing.

On December 31 Mr. Adams called Mr. Cohn on the telephone and told him about the probable assignment for Private Schine. Mr. Adams explained that according to his understanding, Private Schine would have 8 weeks at Camp Gordon Provost Marshal School after which Private Schine would be eligible for reassignment. Mr. Cohn repeatedly asked if the reassignment would be to New York. Mr. Adams told him that he did not know and that he was not able to discuss the future assignment of Private Schine.

33. December 31, 1953-January 3, 1954: Private Schine was given a pass (New

Year's holidays).

34. January 9, 1954: Mr. Adams was at Amherst, Mass., filling a speaking engagement at Amherst College. In the middle of the afternoon Mr. Adams received a long-distance call from Mr. Francis Carr who said he had been trying to reach him since the previous evening. Mr. Carr stated that Mr. Cohn had been trying to reach Mr. Adams from New York and that the purpose of Mr. Cohn's call was to have Mr. Adams intervene with the Commanding General at Fort Dix because Private Schine was scheduled for KP duty on the following day, a Sunday.

Mr. Adams told Mr. Carr that it was absolutely impossible for him to do anything from Amherst. Shortly thereafter, Mr. Adams received a call from Mr.

Cohn but declined to accept same.

35. January 9-10, 1954: Private Schine was allowed to go on pass (weekend leave) until Sunday afternoon when he was required to return to Fort Dix.

36. January 11, 1954: On or about this date, Mr. Cohn called Mr. Adams and asked extensive questions with reference to Camp Gordon, Ga., and the exact number of days Private Schine would be required to serve there. Mr. Cohn also desired to know if it were necessary for Private Schine to live on the post; if Private Schine could have his car on post; and the name of the person at Camp Gordon who should serve as the contact between Mr. Cohn and Camp Gordon for the purpose of relieving Private Schine from duty when necessary. Mr. Cohn stated that the committee would need Private Schine regularly for committee duty. Mr. Adams stated that Private Schine would be treated the same as any other private.

Afer this conversation with Mr. Cohn, Mr. Adams telephoned the Provost Marshal General, General Maglin, to ascertain exactly what type of school was being operated at Camp Gordon and exactly what was in store for Private General Maglin told Mr. Adams that his previous information that Private Schine needed to stay only 8 weeks at Camp Gordon was erroneous because the first 8 weeks at Camp Gordon were merely the second 8 weeks of Private Schine's required 16 weeks of basic training. General Maglin then stated that it would be necessary for Private Schine to complete this 8 weeks before Private Schine could qualify for training at the Criminal Investigators School. He further explained that if Private Schine qualified for duty in the CID school, it would be necessary for him to remain at that school another 10 weeks. This total would amount to nearly 5 months at Camp Gordon.

Mr. Adams immediately telephoned Mr. Cohn and advised him of this development. During the midst of the conversation Mr. Cohn hung up on the telephone after telling Mr. Adams he would not stand for any more Army double

crosses.

37. January 13-14, 1954: A day or so after the conversation with Mr. Cohn Mr. Adams went to the Capitol and called on Mr. Cohn and Mr. Carr in Mr. Cohn's office in the Senate Investigations Subcommittee. General discussion was had concerning the Private Schine situation and the progress of the McCarthy committee investigation at Fort Monmouth. Knowing that 90 percent of all inductees get overseas duty and that there were 9 chances out of 10 that Private Schine would be facing overseas duty when he concluded his tour at Camp Gordon, Mr. Adams informed Mr. Cohn of this situation. Mr. Cohn upon hearing this said this would "wreck the Army" and cause Mr. Stevens to be "through

as Secretary of the Army."

The same afternoon General Maglin, the Provost Marshal General, and General Howard, who had just returned from the Far East and was scheduled to be the Commanding General at Camp Gordon, conferred with Mr. Adams in his office in the Pentagon for about 1 hour.

General Maglin discussed with Mr. Adams in detail the method by which a soldier ordinarily is handled at Camp Gordon, and pointed out to him that it was absolutely imperative that Private Schine complete his second 8 weeks of basic training before he would be eligible for consideration for the CID school.

Mr. Adams stated that Private Schine had been a source of concern to General Ryan at ort Dix. Mr. Adams told General Howard that regardless of whether he received telephone calls from Mr. Cohn or anybody else that General Howard was to disregard them and that if General Howard were to get any instructions at all with reference to special treatment for Private Schine they would come either from Mr. Adams or from the Secretary of the Army. Mr. Adams stated to General Howard that it was the Secretary's desire that Private Schine be given exactly the same treatment at Camp Gordon as was given to any other soldier.

38. January 13-14, 1954; After his interview with Generals Maglin and Howard, Mr. Adams went to see Secretary Stevens. Mr. Adams first reported to the Secretary his conversations with Mr. Cohn. Mr. Adams then stated he believed it would be advisable for the Secretary to talk directly to Senator McCarthy about the situation. The Secretary stated that, since he was going to the Orient in 2 or 3 days, to be gone nearly a month, he felt that it would be well for him to go and see Senator McCarthy that very day to discuss general

Army matters of interest to the committee.

Secretary Stevens telephoned Senator McCarthy and the Senator arranged for a conference at the Carroll Arms Hotel at 5 that same afternoon. The Secretary asked Major General Young, ACS G-1 (Personnel), to check all conflicting stories concerning the type and length of assignment which was facing Private Schine at Camp Gordon. General Young reported back to Secretary Stevens that the information supplied by General Maglin to Mr. Adams was correct, namely, that Private Schine must complete 8 more weeks of basic training in military police work and then would be eligible, if considered qualified, for assignment to the Criminal Investigators School for a course which would take another 10 or 11 weeks.

Secretary Stevens met with Senator McCarthy at the Carroll Arms Hotel as agreed. After approximately one-half hour they were joined by Al McCarthy, who was introduced by the Senator. Al McCarthy remained through the rest of

the visit which lasted approximately 2 hours.

Secretary Stevens explained to Senator McCarthy the type of duty which was scheduled for Private Schine at Camp Gordon and the length of time he would be there. On about 4 or 5 occasions, Senator McCarthy brought up the question of an assignment for Private Schine to the New York City area at the conclusion of his tour at Camp Gordon. Secretary Stevens did not make any commitment with reference to Private Schine's assignment after he had completed his training at Camp Gordon, but did explain the length of time Schine was required to spend at Camp Gordon.

39. January 16, 1954: Private Schine completed 8 weeks of basic training at Fort Dix and departed for 2 weeks' leave. This is the normal leave given to every trainee upon completion of the first cycle of 8 weeks' basic training.

every trainee upon completion of the first cycle of 8 weeks' basic training.

40. January 18, 1954: At about 4 p. m. on the afternoon of Monday, the day following the departure of Secretary Stevens for Korea, Mr. Francis Carr telephoned Mr. Adams and discussed various subjects with him. During the course of the conversation the question of Private Schine came up. Mr. Adams inquired whether Senator McCarthy had told Mr. Carr over the weekend of his conversation with Secretary Stevens the previous Thursday. Mr. Carr stated he had received no information concerning this meeting. Mr. Adams told Mr. Carr in detail the length of time that Private Schine would be required to spend at Camp Gordon. Mr. Carr stated that he had an incoming call from Mr. Cohn, who was in Florida on vacation, and would inform Mr. Cohn of these developments at once.

About 10 minutes after the conclusion of the Carr telephone call, Mr. Adams received a long-distance call from Mr. Cohn from Boca Raton, Fla. Mr. Cohn reported he had just heard about Mr. Adams' talk with Mr. Carr. He requested

verification and when Mr. Adams repeated what he had told Mr. Carr, Mr. Cohn ended the conversation.

41. January 19, 1954: On Tuesday morning, Mr. Carr telephoned Mr. Adams and advised that the committee desired to interrogate a number of members of the Army's Loyalty-Security Appeals Board. Mr. Adams reminded him of prior understandings that such members would not be called. Mr. Carr made no direct reply and stated that Mr. Cohn had terminated his vacation in Florida and returned.

The individuals named were asked to appear at 2 p. m. Mr. Adams appeared himself, accompanied by Deputy Department Counselor Berry, before the oneman subcommittee headed by Senator McCarthy. Also present were Mr. Cohn, Mr. Carr, and the official committee reporter, Mr. Alderson of the Alderson Reporting Co. The meeting lasted about 45 minutes, during which time Senator McCarthy stated that it was necessary that the committee interrogate the members of the Board. Senator McCarthy went on the record only at one time to state that he was not requesting these people to come up for the purpose of interrogating them about their participation in the Loyalty-Security program alone, but that he wished to interrogate them about various widespread allegations he had received concerning fraud and corruption and personal misconduct in their official actions.

42. January 22, 1954: On Friday evening, at Senator McCarthy's request, Mr. Adams went to the Senator's apartment. The visit lasted from about 8:30 p.m. until about 11:15 p. m. Mrs. McCarthy was present in addition to Senator McCarthy and Mr. Adams.

The principal topics discussed were:

(1) Senator McCarthy's request that members of the Army Loyalty-Security Appeals Board be made available for interrogation by the committee; and (2) the possibility of an immediate assignment to New York City for Private G. David Schine.

On many occasions during the evening, Senator McCarthy said he did not see why it would not be possible for the Army to give Private Schine some assignment in New York and to forget about the whole matter; on at least three occasions he attempted to secure such a commitment from Mr. Adams. Senator McCarthy pointed out that the Army was walking into a long-range fight with Mr. Cohn and that even if Mr. Cohn resigned or was fired from the committee staff, he would carry on his campaign against the Army thereafter from outside Washington. Senator McCarthy suggested that Mr. Cohn through the medium of connections with various newspaper elements would being getting published articles alleging favoritism on the part of the Army in numerous other cases. Mr. Adams stated to Senator McCarthy that he knew of no such favoritism and added that the Army was accustomed to being attacked and criticized for doing what it thought right.

On one or two occasions during the evening Senator McCarthy referred to what he called the "original agreement" with respect to Private Schine. Mr.

Adams replied that he knew nothing about an original agreement.

On one occasion during the evening reference was made to the New York meeting of December 17, 1953 (see entry of December 17, supra). Senator McCarthy stated that he would not have blamed Mr. Adams that day, in view of the abuse from Mr. Cohn, if Mr. Adams had walked out and refused ever to speak

to Mr. Cohn again.

Senator McCarthy also referred to his request to the Army to produce Loyalty Appeals Board members for interrogation. The Senator stated that in his opinion it was mandatory to call these individuals and said that he would be willing to have Mr. Adams, as Counselor of the Army, accompany the witnesses to protect the Army's position and the Army's loyalty program. He assured Mr. Adams that if the Senator interrogated them, he would not interrogate them with reference to anything concerning the loyalty security program itself, which the witnesses under existing Executive orders would be prohibited from discussing. Mr. Adams suggested they defer the matter until Secretary Stevens returned from the Orient.

At his departure, Mr. Adams repeated to Senator McCarthy that the Army's policy with reference to Private Schine was unchanged from what it had been all along; namely, that Private Schine would be handled according to the standard workings of the system and there would be no interference and no

special assigment.

43. February 1954: On either February 4 or 5, Mr. Adams discussed with Mr. Carr on the telephone the Army's relationship with Senator McCarthy and the committee staff. Mr. Carr stated that Senator McCarthy was angry over the circumstances of the relase from active duty of Major Peress and the situation had reached the point where the Senator was no longer willing to discuss matter either with the Secretary of with Mr. Adams.

44. February 16, 1954: Mr. Carr telephoned Mr. Adams and requested the Army

44. February 16, 1954: Mr. Carr telephoned Mr. Adams and requested the Army to produce as witnesses before an open hearing of the committee in New York City on Thursday morning, February 18, the Commanding General of Camp Kilmer, the G-2 at Camp Kilmer, and the Acting G-2 of First Army.

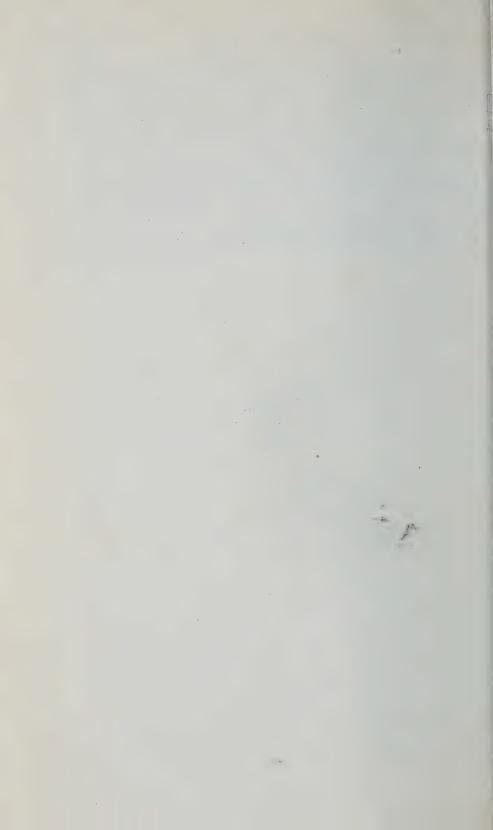
Kilmer, the G-2 at Camp Kilmer, and the Acting G-2 of First Army.

Mr. Adams voiced the Army's concern over this development and compared
it to the Fort Monmouth situation where the committee had called in general
officers of the Signal Corps and had caused public uncertainty with respect to the

Army security procedures.

Mr. Carr stated that if the Army would be reasonable, probably the committee would be reasonable. Mr. Adam inquired how Mr. Carr thought that the Amy should be "reasonable" and Mr. Carr answered rather facetiously, that, if the Army would only do all that had been requested of it, the Army's problems would be at an end.





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SPECIAL SENATE INVESTIGATION ON CHARGES
AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN
G. ADAMS, H. STRUVE HENSEL AND SENATOR
JOE McCARTHY, ROY M. COHN, AND
FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

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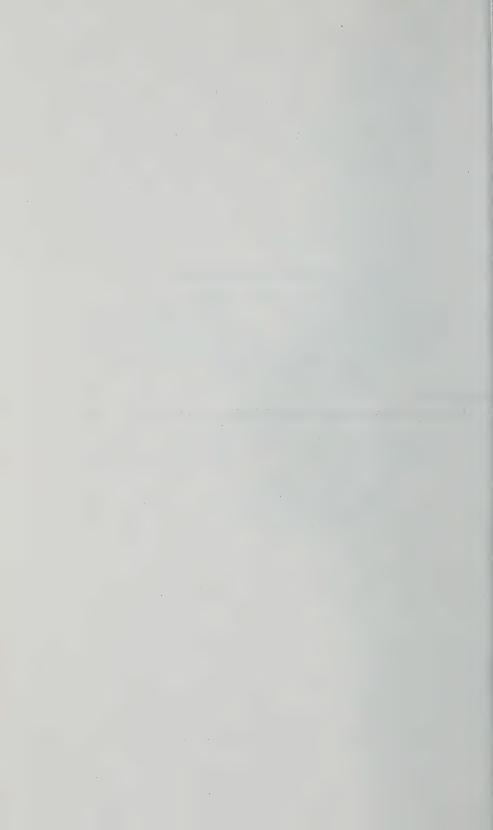
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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

FRIDAY, APRIL 23, 1954

UNITED STATES SENATE,
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

AFTER RECESS

(The subcommittee reconvened at 2:30 p. m., pursuant to recess.) Present: Senator Karl E. Mundt, Republican, South Dakota, chairman; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk. Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army;

and James D. St. Clair, special counsel for the Army.

Senator MUNDT. The committee will come to order, please.

The Chair has an announcement to make first of all concerning Senator Dworshak. He is attending a funeral of a friend and is temporarily absent from the committee, but will be back with us soon after the

beginning of the afternoon session.

The second announcement is that since a question of legality seems to have arisen under section 605 of title 47 of the act dealing with Federal communications, with a subhead, "Unauthorized Publication or Use of Communications," a question which we believe the subcommittee should go into with its counsel in executive session to be sure that we know exactly the ground on which we are operating, it has been decided not to proceed with the interrogation of Mr. Lucas at this time, nor to proceed with Mr. Stevens from the standpoint of any questions dealing with the monitored conversation, but to temporarily

dismiss Mr. Lucas and to ask Mr. Stevens to return to the stand, and

we will interrogate on other phases.

Mr. Welch. Mr. Chairman, I am under the impression that the legal question has disappeared because the Senator has consented to the publication, and therefore no legal question remains.

Senator Mundt. The lawyers on the subcommittee seem to be in

some doubt as to the legal question.

Mr. Jenkins. If Senator McCarthy consents publicly for the publication of that communication, then it is my opinion, Mr. Chairman, that we may proceed with Mr. Lucas. I think it is in order for Senator McCarthy to now make some public announcement with respect to whether he does or does not consent.

Senator McCarthy. I will be glad to do that.

Mr. Chairman, my position is this: that if we publish one conversation between Mr. Stevens and Senator McCarthy, then we must publish all of the conversations between Mr. Stevens and McCarthy and the members of the committee. I do not think Mr. Stevens can be in the position of selecting one conversation and using that and hiding all others.

Now, I would like to proceed with the interrogation of Mr. Lucas at this time, to find out just how many conversations they have

monitored

For example, Mr. Jenkins, I know there are a great number of conversations with other members of the committee, and the interpretation of those conversations would be different, I know, using the words of Mr. Stevens and mine. I feel they were for the purpose of trying to keep us from proceeding with the investigation. Mr. Stevens, I know, would interpret those conversations differently, and I would like to at this time, if we could—and I don't feel strongly about it. Certainly I will abide by the Chair's ruling—I would like to get from Mr. Lucas a picture of just how they go about this monitoring, whether they do it by mechanical devices ever, whether they have verbatim transcripts of the conversations with all members of this committee on down the line.

I think that the Chair makes a good point when he says that you will have to go into executive session to decide whether or not they should

be published

In answer to your question, Mr. Jenkins, again I say that I do think that all conversations, regardless of whether there was a violation of the law in taking them, should be made a part of the record, but not

just one conversation on a specific date with McCarthy.

Mr. Welch. I quite agree with the Senator, and all monitored conversations will be made available to the committee counsel, and in each instance where he considers them material to this inquiry they will be introduced in evidence, provided the person on the other end of the wire consents to their being admitted, as I understand the Senator now consents.

Senator McCarthy. Oh, no, Mister, you are not going to do that. You are not going to select conversations—and just a minute, you are

not going to select conversations.

If we introduce one conversation in regard to this Communist investigation, we are going to introduce all of them. As far as I am concerned I am not the chairman, but that is my position. My posi-

tion is that no one person can keep any conversation out of this record once we start to introduce it.

Mr. Jenkins. Mr. Chairman, may I say this—— Senator Mundt. I think Mr. Welch has the floor.

Mr. Welch. I think the Senator misunderstood me. We are not choosing at this table what ones go in evidence. We are saying that they will all be offered to committee counsel, and Mr. Jenkins may put any or all in that he considers material, so long as he either has the consent of the man on the other end of the telephone, or the committee orders the witness to state them irrespective of the consent.

Mr. Jenkins. In order to clarify the question, it is my opinion that all conversations between the respective parties to this controversy are properly admitted as evidence provided they are relevant, irrespective of the consent of either party. That all monitored conversations and all transcriptions of monitored conversations are likewise properly admitted provided the party on the other end gives his consent.

If Senator McCarthy does now unqualifiedly give his consent to the admission of a transcription of this monitored conversation of November 7, then I am ready to proceed with the introduction of proof. Senator McCarthy, I assume you want a comment from me on

that.

Mr. Jenkins, until I question this witness and know whether it is an accurate transcript—

Mr. Jenkins. That is one of the first things I plan to do.

Senator McCarthy. After that is done, as I have said, I think we

are entitled to the facts here and if we find that the

Mr. Jenkins. Preliminary to the introduction of it, I intend to first qualify him and I say that Senator McCarthy is entitled to supplement my examination if it isn't complete.

Senator McCarthy. Very good.

Senator Munder. And to withhold his decision on admissibility until after the cross-examination.

Senator McCarthy. That is right. Senator Mundt. Very well, Mr. Welch.

Mr. Welch. You understand that if the Senator does not consent, it is still my opinion, which is of little importance, that the conversation may still be admitted properly upon vote of the committee that it must be.

Senator McCarthy. May I say that for the first time in 2 days I

agree heartily with Mr. Welch.

Mr. Welch. Thank you, Senator.

Senator Mund. And if the Senator does not consent, it will then be a matter for the committee to take up in executive session.

Mr. Welch. That would be my view, sir.

Senator Mundt. Mr. Counsel, will you call the first witness?

Mr. Jenkins. Mr. Lucas.

Senator Mundt. Mr. Lucas, do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Lucas. I do, so help me God. Senator Mundt. You may be seated.

TESTIMONY OF JOHN J. LUCAS, JR., APPOINTMENT CLERK TO THE SECRETARY OF THE ARMY

Mr. Jenkins. State your name in full, please.

Mr. Lucas. My name?

Mr. Jenkins. What is your name? Mr. Lucas. John J. Lucas, Jr.

Mr. Jenkins. What is your official position with the Army or with Mr. Stevens?

Mr. Lucas. Appointment clerk to the Secretary of the Army.

Mr. Jenkins. How long have you been appointment clerk to the Secretary of the Army?

Mr. Lucas. Since December of 1949 on a full-time basis.

Mr. Jenkins. What are your duties?

Mr. Lucas. To in general help the Secretary in connection with his

appointments and his telephone calls.

Mr. Jenkins. Are you an experienced reporter, that is, I mean are you experienced in the taking of a conversation or dictation in shorthand?

Mr. Lucas. Yes, sir.

Mr. Jenkins. How much experience do you have?

Mr. Lucas. I went to shorthand school for about 5 or 6 months during—

Mr. Jenkins. When was that?

Mr. Lucas. In about 1934, and then sometime after I left short-hand——

Mr. Jenkins. Have you ever been a court reporter?

Mr. Lucas. Not in an actual court.

Mr. Jenkins. Have you ever held a position in which you were required to take dictation?

Mr. Lucas. Yes, sir; and to make reports of hearings.

Mr. Jenkins. How much experience have you had in that particular line of work, Mr. Lucas?

Mr. Lucas. During the war I was with the Joint Chiefs of Staff for about 3 years and I sat in on meetings of committees of the Joint Chiefs of Staff, and took notes of the proceedings and made transcripts.

Mr. Jenkins. I will ask you whether or not you consider yourself an expert in taking notes from dictation and in transcribing those notes to type?

Mr. Lucas. Yes, sir. I won the 200 Gregg diamond medal years

Mr. Jenkins. What preliminary or academic education do you have?

Mr. Lucas. Four years of college.

Mr. Jenkins. You are a college graduate?

Mr. Lucas. Yes, sir.

Mr. Jenkins. Are you able to state positively, Mr. Lucas—and I of course, know that you remember that you are under oath—are you able to state positively that a report you took, if you did take one, on November 7, 1953, being a telephone conversation, and taken by you in shorthand, was accurately, word for word, verbatim, set down in shorthand, on your notebook?

Mr. Lucas. It was substantially accurate.

Mr. Jenkins. Substantially accurate?

Mr. Lucas. Yes, sir.

Mr. Jenkins. You will not then say that it was accurate, word for word, verbatim; is that correct? Is that correct, Mr. Lucas?

Mr. Lucas. I cannot state that it was absolutely word for word

verbatim. I may have missed a word here and there.

Mr. Jenkins. Could you put your interpretation upon it? Are you the man who is making yourself the judge of whether or not it was substantially accurate or otherwise? Now you say it was substantially accurate.

Mr. Lucas. Yes, sir.

Mr. Jenkins. I take it by that that you are making yourself the sole and the exclusive judge of just how much it missed the mark or how close it came to getting a full, accurate, detailed, verbatim report; is that correct?

Mr. Lucas. Yes, sir.

Mr. Jenkins. Then you won't say, as you sit there now, that—You have, I take it, transcribed your notes to type?

Mr. Lucas. Yes, sir.

Mr. Jenkins. You will not say, as you sit there now, that your

transcription-

Senator Mundt. Pardon me just a minute. There has suddenly come up a new light that makes it impossible to see the witness. I wonder if we could have that light over there turned down. Just about 2 seconds ago it came on. We have been doing pretty well without it and I hope we can continue to do without it.

Mr. Welch. Mr. Chairman, once again could I ask Mr. Jenkins not to go too swiftly on his next question. Let the witness answer if you will, sir. I think if you go a little more slowly you will per-

haps get answers that are more accurate.

Mr. Jenkins. Mr. Lucas, my question now is this: That as you sit there now at this moment with your transcription of this telephonic conversation of November 7 before you, you will not tell this committee that it is an absolutely perfect recording, word for word and verbatim, of an alleged telephone conversation between Senator McCarthy and Mr. Stevens; is that correct?

Mr. Lucas. It is not a word-for-word recording of it.

Mr. Jenkins. I pass the further examination of this witness to the chairman.

Senator Mundt. Did I understand your last statement, Mr. Lucas, that it is not an accurate "word-for-word" verbatim account?

Mr. Lucas. I dropped a few words from the conversation in taking

the notes, a very few words, I believe.

Senator Munder. May I inquire about just how this monitoring is done? Do you listen on the telephone? Is it a recording and then played back to you or how do you get the transcription?

Mr. Lucas. I listen on the telephone and at that time write notes

in Gregg shorthand.

Senator Mund. As they are taking place?

Mr. Lucas. Yes, sir.

Senator Mund. Is that your full-time task down there, monitoring telephone calls of that type? Is that your primary duty and responsibility?

Mr. Lucas. It is one of my main duties. I also arrange or help

the Secretary with his appointments.

Senator Munder. Is it customary procedure when telephone call are received from what is called the Hill, offices of Congressment and Senators, for you to be called in to monitor those conversations Mr. Lucas, or was this an exceptional procedure worked out for Senator McCarthy in the instant case?

Mr. Lucas. That process is a part of my duties, sir.

Senator Mundr. For all calls coming from the offices of Senator and Congressmen?

Mr. Lucas. All calls coming in from the Department of Defense switchboard on which the Secretary of the Army speaks, unless the

Secretary of the Army asks me not to listen.

Senator Mund. So that it is standing operating procedure in which you are engaged, to sit there with your shorthand notebook when you get calls which do not, for some particular reason, require the Secretary to say, "Don't listen to this one," which might be a security case or something of that type, the standard normal procedure is for you to monitor these calls which come to you, regardless of when they come from?

Mr. Lucas. Yes, sir. It has been a normal procedure for years. There is one other exception. For example, I do not monitor telephone

calls from or with members of the Secretary's family.

Senator Mundt. Well, you said there were some exceptions. That is perfectly all right. I am trying to get your standing operating procedure. When did this procedure begin? I know many of my colleagues are going to be interested in hearing this, and I want to have it as clear as I can.

Mr. Lucas. Do you mean how long has it been done in the Offic of the Secretary of the Army and Secretary of War?

Senator Mundr. How long have you been doing it?

Mr. Lucas. I have been doing it since the time—well, I started during the time of Secretary Royal.

Senator Mundt. About what year was that?

Mr. Lucas. About—well, in 1949. I was a substitute for Mr Shott, my predecessor, and he also listened on phone conversations and I understand his predecessor did.

Senator Mundt. So to your full knowledge, at least, you started in

1949, and that has been standing operating procedure since?

Mr. Lucas. Yes, sir.

Senator Mund. Your duties in that connection are limited to listening to phone calls to the Office of the Secretary, are they, or are there other monitored calls that you also listen to?

Mr. Lucas. My duty is to monitor the Secretary's calls.

Senator Mundt. I have no other questions.

Senator McClellan?

Senator McClellan. As I understand, there has been no chang whatsoever in procedures and practice with respect to taking note on telephone calls since you began in 1949?

Mr. Lucas. There have been some changes, yes, sir.

Senator McClellan. What changes have been made under Secre ary Stevens?

Mr. Lucas. No change made under Secretary Stevens.

Senator McClellan. In other words, you are now following the same procedures and practices with respect to that part of your duties that you followed under Secretary Stevens' predecessor?

Mr. Lucas. Yes, sir.

Senator McClellan. Now, you say these notes you made, the short-hand notes you took of the conversation, are not complete, and they do not record each word that is spoken by the parties talking?

Mr. Lucas. I attempt to make them just as complete as I can, but the conditions are such that I cannot swear that they are word-for-

word complete.

Senator McClellan. Well, let me ask you if you undertake to get every word, or do you simply make sufficient notes so that you will have the information that will enable you to carry out your further duties with respect to the conversation?

Mr. Lucas. That is what I try my best to do.

Senator McClellan. You try your best to get enough information from the conversation, and to make notes of it, for your guidance thereafter with respect to dispatching that information to get the further services rendered; is that correct?

Mr. Lucas. Yes, sir; that is correct.

Senator McClellan. Now, on the assumption of this conversation that is in question, were you given any special instructions or any different instructions in the taking of that telephone conversation, to any others that you were taking in the course of your duties along at that time?

Mr. Lucas. No special instructions.

Senator McClellan. Were you particularly alerted to be on the phone at that time, and to take notes of this conversation? Did the Secretary say to you, "Get on the phone and take notes of this"?

Mr. Lucas. No, sir.

Senator McClellan. You did it in the normal course of duty?

Mr. Lucas. Yes, sir.

Senator McClellan. But you cannot say that you got it full, complete, and accurate?

Mr. Lucas. That is correct, sir; I cannot say that. Senator McClellan. Mr. Chairman, I am satisfied.

Senator Mundt. Senator Dirksen?

Senator Dirksen. I doubt very much whether any other questions need to be asked here on this point, except for the principles involved.

Let me ask this, however, Mr. Lucas: Do you have an opinion as to whether the words which you may have dropped in the course of the conversation and not set down, would in any way modify or distort or substantially change the meaning and the substance of the conversation that was held?

Mr. Lucas. My opinion is that I put down in my shorthand notebook practically all of the conversation, and that the little that I may have missed would have not altered the substance of what I did take

down.

Senator Dirksen. Do you think even the best reporter can take down perfectly everything that is said from two ends of a telephone line?

Mr. Lucas. No; I do not think it is possible to be 100 percent accurate in taking conversations over the telephone, or, for that matter, in a large roundtable conference.

Senator Dirksen. That is all. Senator Mundt. Senator Jackson.

Senator Jackson. Mr. Lucas, let me see if I can get the procedure clear. When you monitor a conversation, do you attempt to take down the words spoken by the parties on each end of the line word for word?

Mr. Lucas. Yes, sir; I attempt to do that. Quite often, I have found in the past, it may have a bearing on how I process calls where

I have to do something to help the Secretary.

Senator Jackson. Let me just get this point clear. Now, when you take notes, is it my understanding from your testimony here that you attempt as far as it is humanly possible to take down that conversation first in your shorthand notes word for word?

Mr. Lucas. Yes, sir; I do; except possibly for social greetings at the beginning of the call. But where the business of the call is con-

cerned I attempt to get every word, word for word.

Senator Jackson. Now, when you say you attempt, what do you mean by that? Do you mean that all human beings are fallible, and they may make an error on a word? Is that what you mean?

Mr. Lucas. I mean that, and I mean also that there may be a noise in the room, and I may not be able to hear perfectly, and I may be distracted and somebody might come up and try to talk to me.

Senator Jackson. Well, with reference to the telephone conversation in question now before the committee, do you have any recollection of whether you deleted certain words or you may have left out words, or is it that you are trying to say you may have? Could you say positively that you left out certain words?

Mr. Lucas. I can say positively that I left out a few words.

Senator Jackson. All right. Now, why did you leave out those words?

Mr. Lucas. I don't know, at this point, sir; I don't know exactly. Senator Jackson. Did anyone ask you to leave them out?

Mr. Lucas. No, no, sir.

Senator Jackson. How could you remember?

Mr. Lucas. Because I put a word in my book that indicated that I

had, at the spot where I did.

Senator Jackson. You made a note when you went along in connection with the taking down of the conversation in shorthand, you made a mark or some other notation that at that point there was some incomplete transcription of it?

Mr. Lucas. Yes, sir.

Senator Jackson. Is that right?

Mr. Lucas. Yes, sir, in my shorthand notes I made that mark.

Senator Jackson. In connection with this particular telephone conversation again, the deletions that you have referred to, the words that may have been omitted, were they at the beginning, in the way of salutations, or greetings; or where did they occur in the conversation?

Mr. Lucas. They were in the body of the call, sir, and not in the

greetings.

Senator Jackson. They were in the body of the call?

Mr. Lucas. Yes, sir.

Senator Jackson. Now, is this sort of situation that you have referred to in connection with the transcription of this telephone

conversation similar to your taking down of notes on other telephone conversations?

Mr. Lucas. You mean did I use the same process?

Senator Jackson. Yes. Mr. Lucas. Yes, sir.

Senator Jackson. Well, do I understand then that in most of your transcription of telephone conversations, monitored or however it may be referred to here, are never complete?

Mr. Lucas. I wouldn't say that they are never complete, but I imagine I get a complete version in my shorthand notes on many,

many calls.

Senator Jackson. But I take it that in this particular instance, that at times you could not hear part of the conversation, or there may have been some distraction in the room, and for that reason certain words were deleted?

Mr. Lucas. Yes, sir, omitted.

Senator Jackson. You have gone over, I assume, your notes and is there any change in the substance of the conversation as a result of those deletions?

Mr. Lucas. I don't believe so, not in my opinion.

Senator Jackson. That is all. Senator Mundt. Senator Potter.

Senator Potter. Mr. Lucas, do you transcribe all of your telephone conversations?

Mr. Lucas. No, sir.

Senator Potter. When do you transcribe the telephone conversations?

Mr. Lucas. When the Secretary of the Army asks me to do so, or if his Department counselor would ask me to do so when I figured that he would be acting on instructions from the Secretary.

Senator Potter. I assume there are many calls going into the Office

of the Secretary every day? Mr. Lucas. Yes, sir.

Senator Potter. Now, do you catalog your book in such a way that you can readily secure the call that the Secretary is interested in?

Mr. Lucas. I don't know about readily; I have a system that I can

locate certain calls; yes, sir.

Senator Potter. When was this particular call transcribed?

Mr. Lucas. I don't remember exactly, Senator Potter. I imagine it was somewhere around March 10, around in there, but I am not sure.

Senator Potter. Of this year?

Mr. Lucas. Yes, sir. I am not sure. It was not transcribed at the time, I do not believe.

Senator Potter. Mr. Lucas, you monitor outgoing calls as well as incoming calls from the Secretary's office?

Mr. Lucas. I monitor the calls on which the Secretary talks. It doesn't matter which way they were initiated, sir.

Senator POTTER. In other words, you hear all telephone conversations that the Secretary has with his office, with whatever parties he may be talking to; is that correct?

Mr. Lucas. All calls that go over the Department of Defense switch-board, where he does not say, "Do not listen to this one."

Senator Potter. If the Secretary's office is like mine, your ears must burn many times.

Mr. Lucas. Yes, sir.

Senator Mundt. Senator Symington?

Senator Symington. I have no questions, Mr. Chairman.

Senator Mundt. Mr. Welch?

Mr. Welch. I have just one simple question, sir. If you were to take your notebook and read your notes, would everybody in this room have a perfectly good picture of that telephone conversation?

Mr. Lucas. I believe so. Mr. Welch. That is all.

Senator Mundt. Senator McCarthy and Mr. Cohn?

Senator McCarthy. Just a few questions. Do you monitor the

calls of Mr. Adams also?

Mr. Lucas. If they are made over the Department of Defense switchboard. Most of them I would not monitor, because they would be made over the buzz-box, or dictograph system, I believe it is called.

Senator McCarthy. Can I ask you this question: One of the issues here today, of course, will deal with what, if any, phone calls the Secretary, Mr. Adams, and others may have made to various Members of the Senate to try and call off the hearings. Would you have an index to indicate what Senators were called on a certain day, what Congressmen were called?

Mr. Lucas. Do you mean that if you asked me did a certain Senator phone or talk on the phone on a certain specific day with the Secre-

tary?

Šenator McCarthy. Yes.

Mr. Lucas. Yes, sir; I would have a record that that call had been made.

Senator McCarthy. In other words, you could go back through your books now and over the past 6 or 8 months you could give the names of the different Senators who either called the Secretary or whom the Secretary called in regard to this particular matter, could you?

Mr. Lucas. I couldn't do it right now, no, sir, because the records

are rather large.

Senator McCarthy. But given time, you could do that?

Mr. Lucas. Yes, sir.

Senator McCarrhy. I still do not have completely in mind just how this works. When you take notes, you say you try to get the conversation of both parties other than the social greetings?

Mr. Lucas. Yes, sir.

Senator McCarthy. When you write up your report, do you write it up as nearly as you can, a verbatim report of the conversation or do you write your version of what went on during that conversation?

Mr. Lucas. What report are you referring to, Senator?

Senator McCarthy. Let's take the conversation between myself and Mr. Stevens?

Mr. Lucas. The transcript being referred to on the call of No-

vember 7, sir?

Senator McCarthy. That call or any other call. In other words, the normal procedure.

Mr. Lucas. The normal procedure? I will, at the time, if possible, right at the conclusion of the call, if I am not pushed into doing something else more important, I will then write on a slip of paper—this size [indicating] that is, using my shorthand notes, the time of day, the date is at the top, and I would indicate who called who and simply the subject. For example, if you phoned Secretary Stevens on November 7, and talked about the Schine matter, I would say on that little slip such and such time, Senator McCarthy called Secretary Stevens, re Schine matter, period.

Senator McCarthy. So that your report of the phone conversation, then, is your own personal idea of the important part of the telephone

conversation?

Mr. Lucas. That system that I use for locating the call would be;

yes, sir.

Senator McCarthy. Before my next question, I would like to make this very clear, that while this forenoon I made some comments upon the impropriety of listening in on telephone conversations, I want to make it very clear that none of that onus should be borne by you. You are just a reporter doing the job you are ordered to do, right?

Mr. Lucas. Yes, sir.

Senator McCarthy. In other words, you did not make the policy decision?

Mr. Lucas. That is correct, sir.

Senator McCarthy. Now, could you tell us whether or not on October 2 you monitored a call between Secretary Stevens and General Lawton? General Lawton is the commanding general at the radar installation at Fort Monmouth.

Mr. Lucas. I would be unable to tell you at this time.

Senator McCarthy. Have you been asked to transcribe that conversation since the hearings began? Do you follow my question? In other words, it was a very important telephone call between Bob Stevens and General Lawton, in my opinion. I am just curious to know whether or not when the Secretary asked you to transcribe the conversation between McCarthy and Stevens whether he also asked you to transcribe the conversation between Lawton and Stevens.

Mr. Lucas. I don't believe it was put that way, sir. When I was asked to do my first bit of transcribing in connection with this matter at hand here, I was told—this is my best recollection at this moment—I was told to transcribe the calls, or the conversations, with the principals in the case. I don't believe it was spelled out. I don't think anybody said, "Transcribe just the calls of Senator McCarthy or Mr. Carr or Mr. Cohn, if any," at that point. I believe on the second—and then on this second occasion, when I was asked to transcribe conversations with regard to the matter at hand here today, I was told to go through my book and transcribe all the conversations having any bearing whatsoever. No, General Lawton was not mentioned.

Senator McCarthy. How many conversations did you transcribe,

roughly?

Mr. Lucas. I don't recall, sir, just how many.

Senator McCarthy. Could you give us an estimate: 5, 10, or 20? Senator Mundt. I am sorry, the Senator's time has expired.

Senator McCarthy. You mean the time for questioning, I assume.

Senator Mundt. Yes. There is a rule. We will proceed again now with counsel.

Mr. Jenkins. Mr. Chairman?

Senator Munder. Do you have any further questions, Mr. Counsel? If not, the Chair wants to hear from you with our counsel for the committee, but under our rule we must first inquire if anybody else has any question of the witness.

Mr. Jenkins. I have no other questions, but I desire to make a

statement at this time.

Senator Mundt. You may.

Mr. Jenkins. This witness admits that he dropped, to use his words, from his transcription some of the words of the conversation, whether by inadvertence or otherwise does not appear. We, as lawyers and as laymen, know that sometimes the dropping of a comma, a semicolon, or a period will entirely change the meaning of the sentence. In view of the fact that this witness now says that his transcription is not accurate, that he made himself the judge of what was material and what was not, I do not deem it fair to the committee or to Senator McCarthy, and especially this committee investigating this controversy, that it be admitted as evidence. I no longer insist upon it. I ask that it be excluded, and that Secretary Stevens be called back to the witness stand.

Mr. Welch. Mr. Chairman.

Senator McCarthy. Mr. Chairman.

Senator Mundt. I think Mr. Welch addressed the Chair first.

Mr. Welch. I do not wish to compete with the Senator, sir. Would you like the microphone?

Senator Mundr. There is no competition. We will take the ques-

tions in chronological order and you were first.

Mr. Welch. Thank you. I cannot agree, Mr. Jenkins, in spite of my great respect for you, that the witness said the transcription is not accurate. His testimony, I think, would be, if he were asked, that it is 99.44 percent accurate, and I do not agree that he made himself the judge of what was important and what was not important. I think we have in this courtroom a witness as completely prepared to testify to a telephone conversation as any witness I ever looked at in my life. And if we do not put this telephone conversation in today, I wish it understood that I shall urge with all my power at executive session that it be admitted in evidence.

Senator Mundt. Senator McClellan? Senator McCarthy. Mr. Chairman.

Senator Mundt. Senator McCarthy, I believe.

Senator McCarthy. I have further questions to ask.

Senator Mund. We will revert to the questioning procedure under the 10-minute rule that we are discussing. The counsel's recommendation is that Senator McClellan would like to address himself to that

point.

Senator McClellan. Mr. Chairman, I substantially agree with counsel in his conclusions with respect to the admissibility of this testimony. I do say that it would be admissible if both parties to the conversation would consent to it. There can be no doubt about that. The fact that it is not in full and complete is what disturbs me. Probably no reporter is 1,000 percent accurate, but the very fact that he

omitted or left out words and his record or notes, of shorthand notes, now indicates that words were missed that might have some meaning, might affect the validity of his testimony, and for that reason I agree with counsel that, it not being complete, it is not admissible unless both parties agree to it. It can be used, however, by the gentleman who took the notes, and by the other party who heard the conversation, to refer to to refresh their memory, and they should be able, therefore, under oath, to testify from memory as to what actually occurred.

Senator Mundt. A point of order?

Senator Jackson. I assume we have rotated. On this very point I think it would be helpful to know how many other monitored conversations are to be introduced in evidence, and whether additional monitored conversations, if there are such, fall in this same category.

I do not know. Could you answer that?

Mr. Welch. I will answer it this way: There are others, and I assume that Mr. Jenkins will have as passionate interest in them as I have, and that he will want them in evidence.

Senator Jackson. I merely wanted to ask this: Are there similar

deletions which appear in the notes of Mr. Lucas?

Mr. Welch. Senator, there are no deletions. This witness is a careful witness who does not want to take an oath to say, "I am sure I

have very word absolutely."

Senator Jackson. Mr. Welch, there are two situations. First of all, I am sure that no stenographer who takes notes by hand or by stenotype could positively testify that each and every word was absolutely taken down. Human beings are fallible, and it follows that they are

capable of committing errors.

I tried to raise that question with Mr. Lucas, and I take it that his testimony and his answer to my question did not fall in that category. On the contrary, when I asked him whether or not any words had been left out, he said that in his transcribed notes there appears, in the shorthand notes, a notation here and there where a word was missing, or that he didn't get for some reason or another.

Now, the latter situation is far different than the first one. I agree completely that human beings will commit errors, and there isn't any stenographer that could testify that everything taken down is absolutely correct. We would not be able to introduce in evidence the

transcription of any testimony if you followed that rule.

That is not the situation, as I understand it, that is before the committee. The situation is that Mr. Lucas has testified that going along through the taking down of the telephone conversation, something happened, and he did not get certain words.

Am I correct in that analysis?

Mr. Welch. I do not quite think you are correct.

Senator Jackson. Let me ask Mr. Lucas.

Mr. Lucas, let me repeat the question so that we can——

Senator McCarthy. Would you yield for a moment? I just wonder if we couldn't revert, Mr. Chairman, to the usual system of questioning before we start determining whether or not the material is admissible.

Senator Jackson. This is on the question of whether it is admissible.

Senator Mundr. We are a little bit out of order, but the Chair has recognized Senator Jackson. We can revert to the ordinary procedure, and will Senator Jackson conclude, and we will go down the line.

Senator Jackson. Mr. Lucas, do I understand that it is your testimony that in taking down the notes, shorthand notes, of the conversation between Senator McCarthy and Secretary Stevens, on November 7, that you took all of the conversation down word for word to the best of your ability?

Mr. Lucas. To the best of my ability; yes, sir.

Senator Jackson. Now, by that do I understand that there was no premeditated or willful deletions of words?

Mr. Lucas. There were no premeditated or willful deletions of

words.

Senator Jackson. Do I understand that your notes disclose certain words did not appear because of some interference that made it impossible for you to hear the words spoken by either of the parties?

Mr. Lucas. At this point I don't know just why it was, but I made a little mark which to me indicates that I left a few words out there. There is an incomplete sentence in my shorthand notes.

Senator Jackson. Would it be because sometimes human beings

do not always complete sentences? Have you ever listened?

Mr. Lucas. Yes, sir; I know exactly what you mean.

Senator Jackson. Have you ever read the transcribed notes of a congressional hearing?

Mr. Lucas. Yes, sir; they are beautiful and I know that they cannot

be word for word.

Senator Jackson. Do you think all of the sentences have a subject and a predicate?

Mr. Lucas. No, sir; I know they do not.

Senator Jackson. Then, to get to the point here, you say some of the sentences were not complete. Do you mean that they didn't make sense, or that it appears that you positively may have dropped words through inability to pick it up? You understand, I think, what I mean.

Mr. Lucas. Yes, sir; I dropped a few words through inability to put them down on my notebook; just exactly why that was I don't know at this point.

Senator Jackson. What is that notation that you referred to in your

transcribed notes normally mean? You say you made a mark.

Mr. Lucas. A little "x."

Senator Jackson. What does that normally mean to you in trying

to type?

Mr. Lucas. At the end of a good sentence down at the bottom of a line it means a question mark, and in this case it is up above the line and it means I left something out.

Senator Jackson. You mean something was spoken?

Mr. Lucas. Something was spoken which I didn't get down there, and I don't know why, just what it was, whether I was too slow to get it, or whether I couldn't hear it, or what.

Senator Mundr. We will now proceed under the 10-minute rule, and counsel, if he cares to, may ask questions without limit of the

witness, and if he has none then it comes to the Chair.

Do you have further questions, Mr. Jenkins?

Mr. Jenkins. I have one question.

I am correct, am I not, in the assumption that you stated a while ago that you dropped or omitted some words in this conversation?

Mr. Lucas. Yes, sir.

Mr. Jenkins. Just how many you don't know?

Mr. Lucas. That is correct, sir. Mr. Jenkins. That is all.

Senator Mundt. I have just a question or two.

There is nothing in this symbol, this X that you put above the line, that will indicate whether you dropped 2 words, or 6 words, or 8 words, but it simply means the thought was incompleted and you don't recall how many words might be dropped; is that correct?

Mr. Lucas. That is correct, sir; at the time of taking the notes I realized—for what reason now I do not remember—I realized that I had left something out. Whether I was too far behind to recall it, or whether it was noise because I didn't hear it, I don't know now.

I made the mark to indicate that I was leaving something out and

I wanted that to show by my notebook.

Senator Mund. You put that down more or less to protect yourself, so that if, at some future time, there was a transcription, that would remind you that that thought was not completed?

Mr. Lucas. Yes, sir.

Senator Mundt. Senator McClellan?

Senator McClellan. Just one question. Can you tell us the number of places on your notes recording this conversation where you indicated that something was omitted?

Mr. Lucas. Once.

Senator McClellan. Just once?

Mr. Lucas. Yes, sir.

Senator Mundt. Senator Dirksen? Senator Dirksen. No questions.

Senator Mundt. Have you any more, Senator Jackson?

Senator Jackson. Only this: Where did that appear in the transcription, in your shorthand notes?

Mr. Lucas. In the body of the call. Senator Jackson. In the body of it?

Mr. Lucas. Yes, sir.

Senator Jackson. Do you know roughly how many words were taken down? You can tell—

Mr. Lucas. May I look, sir?

Senator Jackson. Sure, you can refresh your recollection.

Mr. Lucas. There were 4½ pages of my notes.

Senator Jackson. And roughly how many words to a page, approximately?

Mr. Lucas. It is harder to figure it from the shorthand than the transcript. Could I look at that?

Senator Jackson. You can refresh your recollection, sure.

Mr. Lucas. I would guess that there are about three to five hundred, Senator.

Senator Jackson. To a page? Mr. Lucas. Yes, sir——

Senator Jackson. To a page?

Mr. Lucas. No, sir. It is this much [indicating].

Senator Jackson. How many words are missing out of that 500?

Senator McCarthy. Mr. Chairman, a point of order. I think that the photographers should not photograph what you have not admitted in evidence. May I suggest the Chair order the photographers—

Senator Mund. The point of order will be upheld. The photographers will discontinue photographing the evidence which is in

dispute.

Senator McCarthy. May I suggest, Mr. Chairman, that in view of the fact that the Chair has not decided whether or not this document is admissible, that the photographer who just photographed it be ordered to turn the film over to the Chair until it is decided whether it is admissible?

Senator Mundt. May the Chair inquire how many took the pic-

tures?

Senator McCarthy. Just one man. Let me make it clear I am not accusing this young man of any improper conduct. He is a very ambitious photographer and is entitled to take a picture of that kind.

Senator Mundr. If that will destroy the whole roll, if I can have

the assurance that it will be destroyed, it will be all right.

News Photographer. Yes, sir.

Senator Mundr. It is the whole roll of film, is it not?

News Photographer. It is the beginning of it. Senator Mundt. You better destroy the roll.

Senator Jackson?

Senator Jackson. Do I understand—

Senator Mund. If anybody else wants to contribute a roll to the conscience fund, they may do so.

News Photographer. Mr. Chairman, in my opinion, it would be

impossible to read anything.

Senator Jackson. Mr. Chairman, were those pictures taken of the film proper?

Senator McCarthy. Mr. Chairman?

Senator Mundt. Your point of order has been upheld.

Senator McCarthy. May I have the record very clear that I do not accuse this enterprising young photographer of anything improper. I think he did what many young men would like to do to set a scoop on that document. I merely felt that it should not appear in Life magazine.

Senator Jackson. There is one over here that took one, too, that

put his plate in.

Now, my question: Do I understand that about 500 words were taken down?

Mr. Lucas. I would estimate three to five hundred. I am not sure,

sir. I am not familiar with that.

Senator Jackson. And how many words, if you know, in your

opinion, were not taken down?

Mr. Lucas. In my opinion, it was part of a sentence, probably 5 or 10 or maybe 15. I just don't know. But in my opinion—I know I am not so bad as to leave out a whole sentence.

Senator Jackson. As I understand it, then, the words that you were unable to take down were part of a sentence? They were not an entire paragraph?

Mr. Lucas. That is correct, sir. It was just part of a sentence, in

my opinion.

Senator Jackson. Do I understand your testimony to be that maybe 5 to a maximum of 15 words might be missing out of a total of between three and five hundred words?

Mr. Lucas. Yes, sir, that would be my opinion on it.

Senator Jackson. Then other than for this particular sentence, to your best knowledge and belief all of the other sentences were complete?

Mr. Lucas. I believe so; yes, sir. Senator Jackson. That is all. Senator Mundt. Senator Potter?

Senator Potter. Mr. Lucas, just one question. Whose conversation was the omission made in? Was it made in Secretary Stevens' conversation or in Senator McCarthy's conversation?

Mr. Lucas. At the very beginning of a remark by Senator Mc-

Carthy.

Senator Potter. That is all I have, sir.

Senator Mundt. Mr. Welch? Pardon me, Senator Symington.

Senator Symington. I would like to ask you just one set of questions. What you try to do, as much as you can, is get all the words in any conversation; is that correct, Mr. Lucas?

Mr. Lucas. Yes, sir; I try my darndest because I want to get those

details down so if necessary I can help the Secretary by doing so.

Senator Symington. Often when you put somebody on the line in any office, the person talks too fast for them to take it, occasionally, and they have to say, "You are talking too fast," is that correct?

Mr. Lucas. I am sorry, I didn't follow.

Senator Symington In other words, sometimes a person will talk too fast—I am sorry. Sometimes a person will talk too fast for you to take it, is that correct?

Mr. Lucas. That is correct; yes, sir, sometimes. It is a rare occasion,

but it does happen.

Senator Symington. Well, that is common practice in recording anything on the telephone?

Mr. Lucas. Yes, sir.

Senator Symington. What you say is that to the best of your ability you take down everything that is said on both sides, is that correct?

Mr. Lucas. Yes, sir. Often I omit the greetings at the beginning of the conversation. It is pretty easy to tell when a man starts the business of his phone call. There may be a few social remarks about dinner or something of that sort, purely social and then often in a phone call a man will say, "I hate to bother you, but——" And then I know that is the business of the call.

Senator Symington. I have no further questions.

Senator Mundt. Senator Dworshak has not returned yet.

Mr. Welch, have you any further questions?

Mr. Welch. I have only this to say, that I think we are at a cross-roads in this case.

Senator McCarthy. Mr. Chairman?

Mr. Welch. Could I finish, Senator, please?

Senator McCarthy. May I suggest we finish with the questioning

before we hear the speeches?

Mr. Welch. I thought I was asked for comment. Was I asked for comment?

Senator Mundt. You were asked whether you had further questions to ask the witness.

Mr. Welch. I have no further questions.

Senator Mundt. You may speak to a point of order if you care to raise one.

Mr. Welch. I wish to speak to a point of order.

Senator Mundt. You may do that, sir.

Mr. Welch. The point is I think we are at the crossroads in this case. I am not a lawyer without experience. I have dealt with hundreds of telephone calls and never in my life have I seen one offered in a courtroom in which I had more confidence as to its complete accuracy than I have in this one.

Senator Mundt. Senator McCarthy has 10 minutes.

Senator McCarthy. Mr. Lucas, when I quit questioning the last time I was in the middle, I believe, of a question. The question was about how many conversations did you transcribe in this matter of the promotion of Schine?

Mr. Lucas. I am not sure, sir. I would say 50 or a hundred telephone conversations were transcribed that might have just some remark about it. "How are you doing with Senator McCarthy," or

something of that sort, with "I am doing fine."

That is the total number of conversations that had any mention of yourself, Senator, or your staff or your committee or anything in

connection with it.

Senator McCarthy. In other words, do I understand that you transcribed all conversations in which there was mentioned either the work of the committee, myself, or the staff, and that number is somewhere between 50 and 100?

Mr. Lucas. That is my guess, sir. I just don't know how many

there were, but I transcribed a stack that high [indicating].

Senator McCarthy. I am not trying to pin you down to a definite number. I know that it is impossible for you to give the accurate number at this moment.

Mr. Lucas. Yes, sir.

Senator McCarthy. Let me ask you this: How many conversations were there between the Secretary or Mr. Adams and other members of this committee?

Mr. Lucas. I don't recall, sir.

Senator McCarthy. Would you have any idea how many?

Mr. Lucas. No, sir.

Senator McCarthy. Were there occasions upon which Mr. Adams or Mr. Stevens called other members of the committee in regard to the wisdom or the possibility of calling off the investigation of communism in military establishments? I am asking Mr. Lucas a question.

Mr. Lucas. I don't understand the question, sir.

Senator McCarthy. Would the reporter read the question to the witness?

(The reporter read from his notes as requested.)

Mr. Lucas. I don't recall any, sir.

Senator McCarthy. You recall Mr. Stevens was absent for some time over in the Orient. During that time, was Mr. Adams making phone calls to Senators with regard to the investigation?

Mr. Lucas. I wouldn't know anything about that, sir. His office is not in the same room with the Secretary and I don't handle his phone calls unless he happens to be up in the Secretary's office.

Senator McCarthy. Did he make any from the Secretary's office?

Mr. Lucas. I don't recall, sir.

Senator McCarthy. You do not recall?

Mr. Lucas. During the period when he was absent, when the Secretary was in the Far East?

Senator McCarthy. Yes.

Mr. Lucas. I don't recall any, sir.

Senator McCarthy. When you transcribed these conversations, who did you give them to?

Mr. Lucas. I believe I gave them either to Colonel BeLieu or Colonel

Wood in our office.

Senator McCarthy. And how many conversations were there with Senator McCarthy?

Mr. Lucas. I am not sure. I would say 1, 2, or 3. There weren't

many, sir.

Senator McCarthy. Do you have the transcripts of those conversations with you?

Mr. Lucas. I don't, no, sir.

Senator McCarthy. Now, what type of index do you keep? In other words, let us say that Secretary Stevens calls you in tomorrow and says, "Mr. Lucas, I would like to know whether or not I called Senator Jones or Senator X or Y 6 months ago." Do you have an index so that you can go to your book and report back to the Secretary the date, the time the call was made?

Mr. Lucas. I have two ways to locate a call. I mentioned the little

slips that I make which are chronological.

Senator McCarthy. Yes.

Mr. Lucas. I staple together my notes on things that I might have to refer to, 1 day to a stapled pad. Then at a later time, when I have a chance—and I am far behind right now—I go over these chronological notes of who called who, and simply the subject, and I try to post that on cards, and only if I think there might be a future reference to it. If it seemed to be a minor call or an invitation to dinner, or something, I wouldn't post it on the card. I would have it in the daily summary.

Senator McCartily. I am just trying to find out what type of index

you have. Do you have a card index, then?

Mr. Lucas. Yes, sir, a 3 by 5 card index, which, as I say, is not even complete on all of his phone conversations, but it is some of them, the ones I think that he might or his staff might want to refer to.

Senator McCarthy. But by referring to the card, you could then

refer to your notes?

Mr. Lucas. Yes, sir.

Senator McCarthy. And get the transcript; is that right?

Mr. Lucas. Yes, sir.

Senator McCarthy. Are those cards serialized; are they numbered so that you can tell if any of the cards are missing?

Mr. Lucas. No, sir, they are constantly being added to because the

Secretary will talk to some new people.

Senator McCarthy. I am not sure if you got my question. In other words, let us say the Secretary has 10 conversations today, or 20. Do

you make a card index of each conversation, and do you number them 1, 2, 3, 4, 5, and 6?

Mr. Lucas. No, sir.

Senator McCarthy. So that you have got no permanent—Senator Mundr. The Senator's time has again expired.

Are there any other Senators who have any questions to ask? Does counsel have any, and does Mr. Welch?

Mr. Welch. Not now.

Senator Mundt. Have you any other questions to ask, Senator

McCarthy?

Senator McCarthy. Do you have a record of a telephone call—strike that. I believe you have answered you do not know whether you have a record of a call between General Lawton and Stevens on the 2d of October; it that correct?

Mr. Lucas. I don't know. I believe the Secretary may have talked with General Lawton, but I don't remember at this point, and my

records are not here.

Senator McCarthy. Did you transcribe that, do you know?

Mr. Lucas. I am not sure. I may have.

Senator McCarthy. Do you recall a telephone conversation between Mr. Cohn and Secretary Stevens on the 27th of October? I realize it is hard for you to recall specific dates, but do you recall anything about that time?

Mr. Lucas. I couldn't recall calls and place them in any period. There are so many little details that I don't believe I could recall that any conversation was had around a particular week, we will say, and I

wouldn't know as far as time is concerned.

Senator McCarthy. Could you check your records and, if the Chair agrees with this suggestion, give us the number of calls between Mr. Cohn and Secretary Stevens in the month of October, and the dates of those calls, and have the conversation transcribed?

Mr. Lucas. Yes, sir; I could do that.

Senator McCarthy. Has that been done up to this point? I had understood you to say it has been ordered by someone, to transcribe.

Mr. Lucas. Yes, sir; if Mr. Cohn talked on the phone, I am sure I must have transcribed it; if he talked during October I must have transcribed it.

Senator McCartify. Offhand you cannot tell us roughly how many

conversations there were?

Mr. Lucas. No, sir; I don't remember.

Senator McCarthy. Have those all been given to Secretary Stevens? Mr. Lucas. I am not sure. I believe I gave them to Colonel Wood. Senator McCarthy. Who ordered you to transcribe the calls?

Senator McCarthy. Who ordered you to transcribe the calls? Mr. Lucas. Colonel Wood. Colonel BeLieu I think on the first occasion, and Colonel Wood on the second, relaying orders that I knew came indirectly from the Secretary or with his permission from Secretary Hensel.

Senator McCarthy. Would you recall a phone call made by Secre-

tray Stevens to Mr. Schine on October 28?

Mr. Lucas. I believe I recall that there was a conversation with Mr. Schine, but I don't recall the date.

Senator McCarthy. Do you recall Mr. Stevens made the call?

Mr. Lucas. What was the date of it?

Senator McCarrhy. It is either October 21 or October 28; and Mr. Cohn says October 21 and my notes indicate 28, so let us use both of those.

Senator Munder. May the Chair suggest that on the matter of additional telephone calls, and monitored conversations, that we await further questioning on those until we decide whether to admit this one or not.

If we are not going to accept as evidence this conversation, why then there would be no point in pursuing other possible telephone conversations.

Senator McCarthy. Mr. Chairman, Senator McClellan indicated, and I think rightly so, that while perhaps the conversations would not be properly admissible, and would have to be excluded unless both parties agreed to it, I think that is correct no matter how improper the transcript might ordinarily be if both parties agreed it could be used.

It is impossible for me to decide whether or not we should admit a partial recording until I have some picture of the other conversations that were made and may I say, Mr. Chairman, I think it is of the utmost importance to have all conversations that are substantially accurate in form, admitted if we are sure that we have all of the conversation. I think it would be extremely enlightening.

Now, I don't want to impose upon the time of the committee, but this matter was brought up by Mr. Stevens who offered one particular conversation, and there are some prior conversations which would seem to be certainly as important if not more so and I would like to

spend another few minutes on that if I may.

Senator Munor. Proceed as briefly as possible.

Senator McCarthy. Thank you, I will.

Do you know how many conversations there were between Secretary Stevens and other members of this subcommittee in regard to

either Mr. Cohn or this investigation?

Mr. Jenkins. Mr Chairman, may I remind the committee that the inquiry at this time is whether or not to admit as evidence a recording or a transcription of this conversation allegedly occurring between Senator McCarthy and Mr. Stevens on November 7.

Now, the Senator is making an exploration of many other alleged recordings or monitoring of other alleged conversations and I don't

think it is in order at this time, and it is objected to.

Senator McCarthy. Mr. Chairman, may I say that—

Senator Mundr. Senator McCarthy will be heard on the point of order.

Senator McCarthy. Mr. Chairman, may I say that if you want to restrict the interrogation of this witness at this time, to one particular conversation, well and good. However, it now appears that we have a witness who can be of great value to the committee, a witness who monitored the telephone conversations between Mr. Stevens and members of the committee and other individuals in the administration. I will have to question him about all of those other conversations.

If the Chair feels that we are going to take this piecemeal, and at this time we will only inquire about one conversation and call him back later about all of the other conversations, I have no objection

to that, except that it seems like a very time-wasting device.

Senator MUNDS. Very well.

May the Chair say that he not going to request the Senator from Wisconsin to reply to the question at this time as to whether or not he would approve the admissibility of this evidence. I think if the Senator from Wisconsin will abstain now temporarily until we hear from counsel and make a tentative ruling on this point, we can all save time. I assure the Senator from Wisconsin that if it is ultimately decided that this particular monitored conversation is to be brought into evidence, that the same ruling under the same circumstances will apply to all of the monitored conversations occurring in this case.

Senator McCarthy. Mr. Chairman, I do not want to take additional time. I think we are wasting far too much time now with many people with regard to a private in the Army who should be on more important business. I did not suggest these hearings.

This witness does have information which no one else has—information with regard to conversations with Mr. Stevens and members

of this committee and other members of the administration.

I am now, Mr. Chairman, if you please, not questioning him on this particular conversation between myself and Bob Stevens. I am trying to find out what information he has which might shed some light upon this investigation. We are in it and we must go through it now.

I think it would be a great mistake to deny the Senator from Wisconsin the right to find out just what this young man has in the way of notes. After I get through, I would like to suggest to the Chair and to counsel that they subpena all of his original notes from the date that the investigation of communism in military installations began. I will ask the Chair to have those notes submitted to competent court reporters, go over them with this young man, and glean from those notes all the information they can. What those notes will show, I frankly don't know. That is why I have got to, as Mr. Jenkins said, more or less explore. I know it takes time, but we are in this thing if it takes time, period.

Senator Jackson. On the point of order, I think it is an excellent idea, and I think that all notes that relate to conversations on both sides of this controversy ought to be subpensed and made available to the committee. That would include the memoranda previously released to the press by the committee and the staff. I think that all notes relating to telephone conversations by all of the principals or parties to this controversy ought to be subpensed at the same time.

I think it is an excellent idea.

Mr. Welch. Could I comment on the point of order?

Senator Mundt. Mr. Welch.

Mr. Welch. Nothing will delight the Army more than to make every such telephone conversation available.

Senator McCarthy. Mr. Chairman? Senator Mundt. Senator McCarthy.

Senator McCarthy. Mr. Chairman, I don't think Mr. Welch can speak for the Army any more than I can. I think you can speak for your civilian clients but not for the Army. I think I represent the Army just as much as you do; in fact, I think more so; and I am not trying to speak for the Army today. So let's speak for your clients. Mr. Chairman?

Senator Mundt. Do you have another comment to make on the point order?

Senator McCarthy. If the Chair's desire is that we not pursue this interrogation further at this time, I will abide by the ruling of the Chair. I think we should get back to the Secretary of the Army. I do think there is one important question, though, that I would like to ask. That is this:

Do you take any conversation by any mechanical devices in the

Pentagon?

Mr. Lucas. I don't know about the Pentagon, sir. I don't have

anything to do with any mechanical devices.

Senator McCarthy. Do you know, or do you have any reason to believe, that conversations are taken by any mechanical devices anywhere in the Pentagon?

Mr. Lucas. I just don't know, sir.

Senator McCarthy. Have you heard that they were?

Mr. Lucas. I haven't heard anything on the subject, except that I understand an order has been issued recently that no mechanical recording shall be made, issued by the Secretary of Defense.

Senator McCarthy. Well, prior to that order there had been me-

chanical recordings; is that correct?

Mr. Lucas. I wouldn't say so. I just don't know. I have never seen any mechanical recordings made except, I believe, one, and I don't know whether it had anything to do with this case or not, but it wasn't the Secretary's conversation. I suppose whoever had it made had the permission of the man on the other end of the line. But other than that, I do not know anything about mechanical recordings of phone conversations. I haven't seen any.

Senator MUNDT. The Senator's time has expired.

I would like to hear from counsel of the committee, if I may, speaking on the point of order which was raised some time ago by Mr. Welch, about the admissibility of these monitored conversations.

Mr. Jenkins. Mr. Chairman, it is my understanding at this time that Mr. Welch, representing Mr. Stevens, and Mr. Adams, agrees that all monitored recordings, transcriptions, which Mr. Stevens or Mr. Adams has may be admitted in evidence, provided the committee, headed by Senator McCarthy, makes the same agreement with respect to any recordings or monitored conversations that he has, is that correct?

Mr. Welch. You are incorrect in only one respect, sir. I under-

stand that I am retained by the United States Army.

Mr. Jenkins. We will not argue that point. Mr. Welch. Everything else you say is agreed to.

Mr. Jenkins. We will not argue that point. In order to shorten the time, may I ask the Senator from Wisconsin, do you or do you

not agree to that proposition, Senator McCarthy?

Senator McCarthy. Mr. Jenkins, I thought I made it very clear that I must question this witness to know what information he has. He has talked about a buzz-box, and Adams' buzz-box and dictaphone. I want to know what that is, when they have used it. He has talked about Mr. Hensel. I want to know about the conversations of Mr. Hensel. It is impossible, if you will pardon me.

Mr. Jenkins. I am not going to argue with the Senator at all, Mr. Chairman, in view of the fact that it is admitted that this tran-

scription of this telephone conversation of November 7 is not full and complete and accurate and correct; it is still my opinion that the transcription should not be admitted in evidence. However, it is not my opinion in view of additional information elicited from this witness, since I made or rendered my original opinion, that this witness who allegedly listened in on that telephone conversation, may testify now as to that conversation, allegedly occurring between the committee chairman and Mr. Stevens, and that he may use the notes which he took at that time for the purpose and the purpose only of refreshing his recollection, and with the further statement to this committee that the objections raised with respect to it not being technically accurate in every respect go to the weight of the testimony rather than to its admissibility.

Senator McCarthy. Mr. Chairman. Senator Mundt. Senator McCarthy?

Senator McCarthy. Mr. Chairman, may I complete my cross-examination of the witness before the Chair makes any decision as to whether or not he will be allowed—

Senator Mundt. The chairman has not yet commented that you have used up your 10 minutes. There may be questions by other

members of the committee or by Mr. Welch.

Mr. Jenkins. Mr. Chairman, let me go one step further, please, in order to be technically correct. It still could not be admitted because it is a monitored report, that is the testimony of this witness could not be given by his refreshing his recollection from the notes since it is a monitored report, without the consent given in this open hearing by Senator McCarthy, in view of the statute pertaining to such monitored conversation.

Senator Munder. Very well. Now, before we rule on the point of order, we have the witness before you, if there are other questions. Counsel, do you have any?

I have none.

Senator McClellan?

Mr. Jenkins. I have none.

Senator McClellan. Well, I have this point of order. I want to inquire whether we are going to take his testimony or not going to take it. If we are, I am ready to question him. If you are going to keep him on the witness stand all afternoon, notwithstanding this legal situation or technical difficulty we have encountered as to whether his testimony is admissible, and if we are going to keep him on the witness stand, I would probably like to ask many, many questions.

Mr. Jenkins. Senator McClellan, we cannot ask this witness about that monitored telephone conversation without the consent of Senator

McCarthy, in view of the statute applicable thereto.

Senator McClellan. I may say to the chairman, I am simply withholding my questions simply to expedite these hearings and in the interest of getting on to what we can take this afternoon. If we are going into all of this, I would like to ask many, many questions about many other conversations, and get the correct number he has monitored, and whether he has them and whether they are available, and whether they can be made available to this committee.

Senator Mundr. The Chair is prepared to rule, as far as the ad-

missibility is concerned.

Senator Jackson. A point of order. Was there a ruling on the request for the submission to this committee of all of the transcribed notes, and the shorthand books, from all of the parties to the controversy?

Senator Munder. I understood counsel to say that the admissibility of such evidence from the standpoint of its legality would depend upon

the willingness of Senator McCarthy to accept it.

Mr. Jenkins. Assuming they are monitored. If they are not monitored, then of course any transcription made of that conversation by the party who received it, directly, in order to make a record of it, would, in my opinion, be admissible testimony, and that is not a monitored message.

Senator Jackson. Mr. Counsel, I am not raising the question of admissibility. I am merely pursuing the request originally made that the Army furnish all of the shorthand notes and notebooks and the transcribed notes of conversations, and that the other principals to

the controversy do likewise.

Mr. Jenkins. You mean unmonitored conversations?

Senator Jackson. No, monitored. That was the request originally made.

Mr. Jenkins. By whom?

Senator Jackson. That was by Senator McCarthy.

Mr. Jenkins. Of course, those matters will be requested, Senator Jackson.

Senator Jackson. I assume we have the right to have those notes and transcriptions subpensed, because that does not go to the question of whether they are going to be admitted in testimony, but merely goes to our right to have the information.

Mr. Jenkins. As each witness is presented, it is proper for this committee to inquire of that witness what notes he has made, and what memoranda he has made, and to have those introduced by that

witness, assuming that they are competent and relevant.

Senator Jackson. Mr. Jenkins, only this point: The Army agreed, as I understand it, to submit this information to the committee; am I correct?

Mr. Welch. That is correct.

If I may be heard one more moment, Mr. Chairman.

Senator MUNDT. Mr. Welch?

Mr. Welch. This telephone conversation of November 7 can go to this committee this afternoon, on either one of two bases: If Senator McCarthy will consent to its admission, it goes in. If this committee by majority vote says you wish to hear it, I will advise this witness that he must testify to it. So you may have it on either basis.

Senator McCarthy, once more, sir, if you will consent, this committee and the country will hear it today; and if you will not consent and the committee votes that my witness can testify to it, this committee

and the country will hear it today.

Senator McCarthy. I think Mr. Mundt is still the chairman of the

committee, Mr. Welch.

Mr. Jenkins and Mr. Chairman, may I suggest this: That I think the notes this young man has, and the notes over the past year, during which time we were investigating Communist infiltration in the military, notes of telephone conversations would be of great benefit to the committee.

I agree with the counsel, Mr. Jenkins, that the taking of the notes is illegal, and that therefore, normally it would not be admissible. I would like to call counsel's attention to the fact, however, that an investigating committee is not bound by the usual rules of evidence. For example—

Senator Mund. The counsel advises the Chair he did not advise the taking of the notes was illegal, but it might be illegal to admit

them in evidence.

Senator McCarthy. As the Chair knows, the rules of evidence before a committee are considerably different than before a court. I think that regardless of how proper or improper it might have been to monitor the telephone conversation, I do think the committee should get all of the telephone conversations over the past year having to do with this subject, even remotely, and I think those telephone conversations should be examined by the counsel; and the ones Mr. Jenkins considers pertinent testimony otherwise should be put in the record. I have nothing further to say at this time.

Mr. Jenkins. May I make one other remark? In order to clarify the matter now under consideration by the committee, it is not the violation of the law to monitor a telephone conversation sent in interstate commerce. It is only a violation of the law for the party at the other end of the line to whom it is sent to divulge that without the

consent of the sender.

I say to this committee that the only way such a monitored telephone conversation may be proven legally without this committee running afoul of the law and taking the chances of getting in jail, would be for Senator McCarthy to agree that it might be presented in

evidence.

Now, Mr. Welch has stated that he will permit it to go in, either by Senator McCarthy's consent, which would make it perfectly legal, or upon a vote of this committee to receive it, which to my mind simply means that Mr. Welch is willing to take the chance of it being admitted if this committee will assume responsibility for it. But as attorney for this committee I say that without Senator McCarthy's consent you violate the law when and if you admit in evidence that monitored telephone conversation.

Senator McCarthy. May I have counsel's attention? May I say that there is no question about Senator McCarthy's position; I want all telephone conversations having to do with this great promotion of Schine, and the controversy with Adams and Cohn or myself, or anyone in the military; I want them all made a part of the record.

I will under no circumstances allow Mr. Welch to select 1 monitored telephone conversation out of 100 which he says he has, and offer to put that in the record. That would be about as highly improper as

anything I have ever heard of before any committee.

I want them all in and I want this whole picture laid clear on the table, and I want everything that Bob Stevens or anyone in the military said to any Senator, or anyone in the administration or anywhere else, in regard to this investigation, made a part of the record.

And I will not consent to have put in isolated pieces, 1 letter out of

100. Let us make that perfectly clear at this time.

Mr. Welch. If I may answer the Senator, and we are now in perfect agreement, they will all be made available, but they can only actually go in evidence one at a time.

So I suggest we now take the one we have got here.

Senator McClellan. Mr. Chairman, I move that the committee accept the agreements of the participants to this controversy, and now rule that they shall all go in the record.

Senator Symington. I second the motion. Senator McCarthy. All at the same time. Senator Jackson. What is meant by all?

Senator McClellan. All that they have pertaining to this controversy, directly or indirectly.

Senator Jackson. I assume that includes all parties.

Senator McClellan. All parties. Senator McCarthy. May I ask the Senator who made the motion, does the motion assume that they will all be put in at the same time? Senator McClellan. I don't know how you can do it; if you can

figure out the physical way to do it, I agree.

Senator McCarthy. Let me say this, I don't know what is in this. Senator McClellan. I don't either. If both sides agree, let us put them in the record.

Senator McCarthy. May I say I don't know what is in this incomplete conversation. Regardless of how incomplete it may be I am willing to have that go in the record if all of the conversations go in

at the same time. I think it would be highly improper.
Senator Mundt. May the Chair say the motion is very clear that all of the monitored conversations dealing with the points raised by the Senator from Wisconsin, are included in the motion made by the Senator from Arkansas as the Chair understands it.

Senator McClellan. All of them, and no exclusions. Put them all in and let the committee weigh them as to what part they think

is relevant, and what part is irrelevant.

Senator McCarthy. A point of order.

Would the Senator from Arkansas amend his motion to say they be

put in in chronological order?

Senator Mundt. The question was whether you would amend the motion to say in that these conversations be put in in chronological

Senator McClellan. Yes; I have no objection to that, if the parties

will agree to it. I just want to get them all in the record.

Senator Mundr. Is the amendment agreeable to the Secretary?

Senator Jackson. And do I understand it will include the shorthand notebooks from which the shorthand remarks are transcribed, and this will include, this request applies to all of the principals of this controversy?

Senator Munder. That is correct on both sides.

Mr. Welch. May I point out one thing. Senator Mund. Is that amendment agreeable to the man who seconded the motion?

Senator Symington. That amendment is entirely agreeable to me. Senator Mundt. Very well. Do you want to speak before we vote

Mr. Welch. A point of order. It seems to be essential for the record that we have similar assention from Mr. Cohn and Mr. Carr, paralleling the assent of the Senator. We should have their consent as well.

Senator McCarthy. Is it your position, Mr. Chairman, if I may, is it your position that you must get the consent of everyone who is called; in other words if Stevens called Senator X, Senator Y, or if he called 10 people somewhere else in the Hill, is it your position that you will withhold those telephone conversations unless we can induce those people to consent to have them put in the record?

Mr. Welch. I will withhold nothing, sir.

Senator Mund. I don't believe your point of order is raised to the motion. It is raised to the admissibility of the evidence, Mr. Welch. The motion says that the committee should secure all of this evidence; and now on the matter of admissibility, you might have

to get consent.

Senator Jackson. Do I understand that will also—some testimony was made by Mr. Lucas in connection with the indexing and certain descriptive index titles that he made, and I think that that ought to be included and all memoranda to all of the principals in this controversy relating to telephone conversations.

Senator Mundt. I think that is correct.

Senator Jackson. Some of it may be in memorandum form, mem-

oranda, and part of it may be a verbatim transcript.

Senator Mundt. May the Chair suggest that the word "all" is a mighty inclusive term and that was the word employed by the Senator from Arkansas.

Senator McClellan. Mr. Chairman, I meant every document, every scrap of paper relating to any conversation, with me included.

Senator Jackson. That requires the consent of all the principals,

too.

Senator Mundt. Not for the committee to subpend them and secure them. It might require the consent to admit them as evidence.

Senator Jackson. Do I understand they are consenting now, all the principals?

Senator McClellan. They are all here.

Senator Mundt. We might find out, if that is included in the motion.

Senator McCarthy. Mr. Chairman? Senator Mundt. Senator McCarthy.

Senator McCarthy. Do I understand that the motion made by the Senator from Arkansas means all conversations having to do with

the investigation of Communists in the military?

Senator McClellan. I said all pertaining to this controversy, and the controversy here is defined by the charges that have been filed and the specifications accompanying them by the parties in this controversy, the parties have been named, a new one was added to the record, added to the proceedings after Senator McCarthy and Mr. Cohn filed their charges and specifications. I asked at the time that he be made a party to the proceedings. All parties, all principals, are here.

Senator McCarthy. Senator, I was just asking. I was not objecting to your motion. I was asking for some enlightenment. Do I understand that this would provide for all the monitored telephone conversations having to do with our committee's investigation of Com-

munists in the military installations?

Senator McClellan. Relating only to the issues before this committee and involved in this investigation. If it is relevant to the in-

quiry now in progress, they are included. If they are wholly irrele-

vant to it, they would not be included.

Senator Munder. I think the members of the committee understand the motion, but the Chair wants to make sure that they do before he puts it.

Is any member of the committee desirous of further enlightenment

on the motion at this time?

Senator Jackson. Do the principals agree to it, first?

Senator MUNDT. They are not. The question is now, before you put the motion, do you want to ask the principals to agree about the admissibility of the evidence?

Senator McClellan. I understood they had agreed.

Senator Mundt. Mr. Welch said Mr. Cohn and Mr. Carr have not

been asked, and he is correct.

Mr. Welch. Let me state it this way: The Secretary is seated behind me and has said I may speak for him and give his consent on his end of any and all material telephone calls that are monitored or recorded.

Mr. Hensel is slightly on my right and has indicated that I may now give his consent to all such calls. Mr. Adams is in sight, and I observe him nodding his head so that we have his consent.

We are lacking only Messrs. Cohn and Carr.

Senator McClellan. Just a minute.

Mr. Welch. I would like those consents.

Senator Mundt. The Chair would like to find out whether we have

the consent, then, of Messrs. Cohn and Carr.

Senator McCarthy. Mr. Chairman, I think that Mr. Carr and Mr. Cohn, I assume, will have the same position I have, and that is this, that I not only consent but want all of the monitored conversations, all of the other conversations made available to the committee. But I don't want to have this contention upon getting the consent of some 15 or 25 people that Mr. Stevens or Mr. Adams may have called; for example, during a course of this I know Mr. Adams called members of this committee other than myself.

He called any number of people on the Hill. I am not going to consent to put in only conversations involving Cohn and Carr and McCarthy unless it is understood. And I don't think this should be

based upon the consent of anyone, I think that it really—

Mr. Jenkins. May I—

Senator McCarthy. May I finish? I think the committee by a vote should order the production of all those documents, regardless of who objects or consents to it. The committee has the unqualified right to do it. I approve of that heartily, but I will not give any consent, Mr. Chairman, to the introduction of a few of the 100 telephone conversa-

tions, and I think I speak for Mr. Carr and Mr. Cohn.

Mr. Jenkins. May I remind, Mr. Chairman, the Senator from Wisconsin that it is only necessary to get the consent of both parties to a telephone conversation which is monitored, that this committee has power without the consent of parties to a conversation to subpena and bring to court a record that they made, that they made and not some third party made, a record or a memorandum that they made at the time. Therefore, the only—I repeat—the only instance in which a consent is necessary is where a telephone conversation is monitored.

Senator Mundt. Are you ready for the question?

Senator McCarthy. Mr. Jenkins, I dislike prolonging this, but let me ask you this: Let's assume, then, we find that Mr. Adams called General Zwicker to discuss certain matters with him. Do I understand that it is your thought that we would have to get the consent of Gencral Zwicker before we—

Mr. Jenkins. If that conversation were monitored, Senator, certainly so. Otherwise we would all be violating the law. I am sure that Mr. Welch agrees with me and that your attorney will agree with me.

Senator McCarthy. That, of course, leads us right back to

where---

Mr. Jenkins. Mr. Zwicker himself may testify to the conversation, but any third party on the line who is monitoring that conversation may not testify to it without the consent of the party on the other end of the line.

Senator McCarthy. May I point out, Mr. Jenkins, we are right back where I started. This means that only the material which Mr. Adams, Mr. Stevens, et al., consider favorable will be put into the record. How about the calls to Peress, to Zwicker, to Colonel Brown, all up and down the line? Does this mean the committee has to go and receive a written consent from the vast number of people?

Mr. Jenkins. If they are monitored, the answer is "Yes."

Senator Jackson. Mr. Chairman, I know this must be a bit confusing to a lot of people, but do I—let me finish this one point.

Senator Mundt. Senator Jackson has the floor.

Senator Jackson. As I understand it, all we need to decide now is to subpena these monitored conversations. We have the right to get those conversations. We do not need the consent of any of the parties.

Senator Mundt. That is correct.

Senator Jackson. The only possible question of doubt as to legality relates to the possible release in a public hearing or in a court.

Senator MUNDT. The Senator is right.

The Chair has so ruled.

Senator Jackson. We have the right to subpena all of these records that are relevant to this hearing. I think we ought to confine it to that and act on it.

Senator Mundt. That is as far as the motion goes, may the Chair say, and I do not feel the necessity of getting consent is a point at issue at this time. Are we all apprised now of what the motion provides? Is the committee ready to vote? Hearing nothing to the contrary—

Mr. Jenkins. May I ask just one question? What is the motion? Senator Mundr. The reporter will read the motion as amended.

May the Chair suggest that the Senator from Arkansas restate his motion and we will vote on the motion as restated. The transcript has been sent downstairs.

Senator McClellan. Mr. Chairman, I will try to restate it.

Mr. Chairman, I move that all memoranda, all documents, all notes of monitored conversation as between the parties in this controversy and all others that are relevant, including all parties to this controversy, be subpensed and brought here and presented to this committee for introduction into evidence in their chronological order if they are found to be material and relevant to the issues this committee is now considering.

Senator McCarthy, Mr. Chairman.

Mr. Jenkins. I should like to say this, Mr. Chairman, if I may.

Senator Mundt. Counsel for the committee.

Mr. Jenkins. That part of Senator McClellan's motion embracing the bringing of all records before this committee, monitored or otherwise, is not necessary, because this committee has that power, and may do so and will do so. The only question that I desire to specifically call to you members of this committee is the question of admissibility of monitored telephone conversations without the consent of the parties to that.

Senator McClellan. Mr. Chairman? Senator Mundt. Senator McClellan?

Senator McClellan. We can take up each document at the time with respect to the parties involved. But we have the principals here and, therefore, I am making this motion for the purpose of getting all conversations between these principals, irrespective of when they were or whether the call came from one to the other or vice versa.

All right, they are all here. They said they consented to it, as I

understood it.

Mr. Jenkins. To the introduction of the monitored conversations? Senator McClellan. I want them to either consent or object. If they consent, I am going to make the motion and let the committee vote on it.

Senator McCarthy. Mr. Chairman, speaking for myself, Mr. Carr, and Mr. Cohn, I heartily approve of the motion just made by the Senator from Arkansas.

Senator Munder. May the Chair inquire, Mr. Carr, whether that is

also acceptable?

Mr. CARR. Yes, sir, it is.

Senator Mundt. May I make the same request of Mr. Cohn?

Mr. Cohn. I will be pleased to accept.

Senator Mundt. And do you agree that the monitored conversa-

tions may be incorporated as part of the sworn testimony.

Senator McCarthy. Just a minute now, Mr. Chairman. I want the committee to get all of this material. I want all of it in the record. I will not consent to picking two or three or five conversations out of a hundred telephone conversations, and having those made a part of the record. We have seen an example of that today. We saw the Secretary come in and, out of some 50 or 100 conversations, he tries to introduce 1.

I want the committee to first go over the first hurdle and get all of the monitored conversations. Then it is up to the committee to decide what they will put into the record. If they decide, over my objection, they will select a few and put them in, the committee has that

right.

But I would not consent, and I would advise Mr. Carr and Mr. Cohn not to consent, to allow a few civilians over in the Pentagon to ruffle through these conversations and pick out what should be sub-

mitted.

Mr. McClellan's motion, I understand, was merely that they be subpensed and that the committee have all of this information; and the Senator I think said you can take them up one by one and decide what to do with them.

Senator McClellan. I only said that with respect to relevancy or materiality. That question may be raised at any time when any testimony is presented. But I am making the motion to include all, not to select one or two or a half dozen but to include all that are relevant and material to this controversy.

Senator McCarthy. I would agree to that completely.

Senator McClellan. I am not excluding anything except some document that is offered in evidence and an objection is raised as to its relevancy or materiality, then the committee can decide that at that time.

Mr. Welch. Mr. Chairman, could I be heard? We wish to make every and all such telephone conversations available, and there will be no selection at this table as to which ones go in, and if less than all go in that will be because Mr. Jenkins thinks that some are not material. They will all be available, and the consent of every human being on my side of this controversy is now in your hands, and Mr. Jenkins is the boss. They go in if he says so, and not if he does not. Senator McClellan. You mean that you offer them in evidence?

Mr. Welch. I produce them for Mr. Jenkins to select and offer in evidence, and there will be no objection at any point in respect to any monitored telephone conversations, on my behalf as the Army's counsel.

Senator Munder. May the Chair suggest that since the motion made by the Senator from Arkansas has not yet been seconded, that he now restate it so that we will have it clearly before us.

Senator Symington. I second the motion.

Senator Mundt. The Senator from Arkansas for the benefit of his

motion will now restate the motion.

Senator McClellan. Mr. Chairman, I think every member of the committee understands my motion, and if anyone does not understand it, I will restate it, or agree that the stenographer may read it.

(The motion was read by the reporter.)

Senator Mundt. We will restate it so that we will be sure to have a second.

Senator Potter. I second the motion.

Senator Mundt. You have heard the motion and it has been seconded. Are all of the committee members ready to vote?

Senator McClellan?

Senator McClellan. Aye.

Senator Mundt. Senator Dirksen?

Senator Dirksen. Aye.

Senator Mundt. Senator Jackson?

Senator Jackson. Aye.

Senator Mundt. Senator Potter?

Senator Potter. Aye.

Snator Mundt. Senator Symington?

Senator Symington. Aye.

Senator Mundt. Senator Dworshak?

Senator Dworshak. Aye. Senator Mundt. Aye.

It is unanimously approved and the counsel may proceed with the

Mr. Jenkins. Mr. Lucas, I now ask you to present and read from a transcription of the notes that you took of a telephone conversation between Senator McCarthy and Mr. Stevens on November 7, 1953.

Will you now do that?

Senator McCarthy. Mr. Chairman, this is in direct violation of the motion you just passed, and Senator McClellan moves that the material be submitted in chronological order, and this is taking completely out of order.

I submit, Mr. Jenkins, that that would be highly improper. You have got 100 monitored conversations, and I don't know what is in

this one.

Mr. Jenkins. May I ask that, is that the first monitored conversation that you have of a telephone conversation between Senator McCarthy, and Mr. Stevens? Is it the first monitored telephone conversation?

Senator McCarthy. May I suggest, Mr. Jenkins—

Mr. Jenkins. Or is it the first monitored telephone conversation that you have between any of the principals in this case, to wit, Senator McCarthy, Mr. Cohn, or Mr. Carr, or Mr. Adams, or Mr. Stevens, or Mr. Hensel? Is it or not? You know?

Senator McCarthy. I don't believe it is, sir.

Senator Mundt. If it is not, the Chair would have to sustain the point of order because the motion said it should be submitted

chronologically.

Senator McClellan. Then I move, Mr. Chairman, that this witness be dismissed for the present, with instructions to proceed to compile and arrange all of those monitored conversations in order, and to appear at such time as the chairman may direct for further questioning and for introduction of them in choronological order; bringing with him the original notes and his transcripts of such conversations.

Senator Munder. Is there a second to the motion?

Senator Jackson. I second.

Senator Potter. I second the motion.

Senator Mund. Without objection, the motion will be approved, and you are dismissed for the time being, and Mr. Stevens may return to the stand.

Mr. Welch. I don't know if you can see a clock or not, but I had hoped I would get to Boston tonight. Are you going to run late?

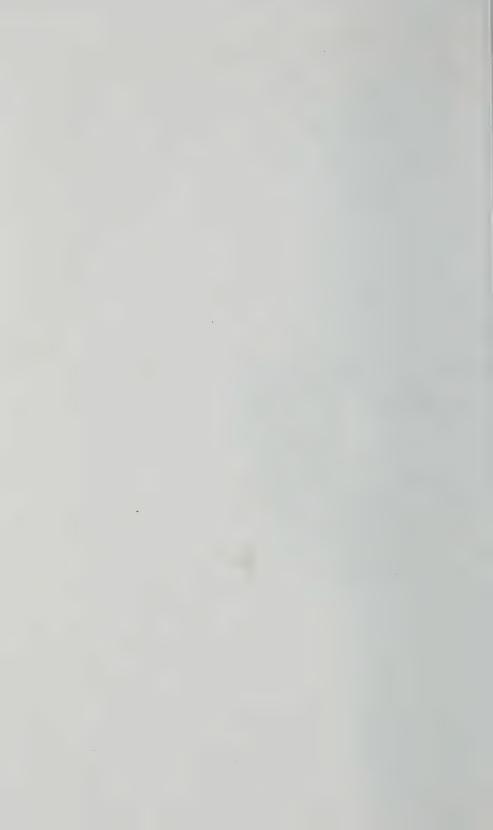
Senator Munder. It is now 4:30, and I think without objection we

can recess until Monday morning at 10:30.

(Whereupon, at 4:25 p. m., Friday, April 23, 1954 the hearing was recessed until 10:30 a. m., Monday, April 26, 1954.)







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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

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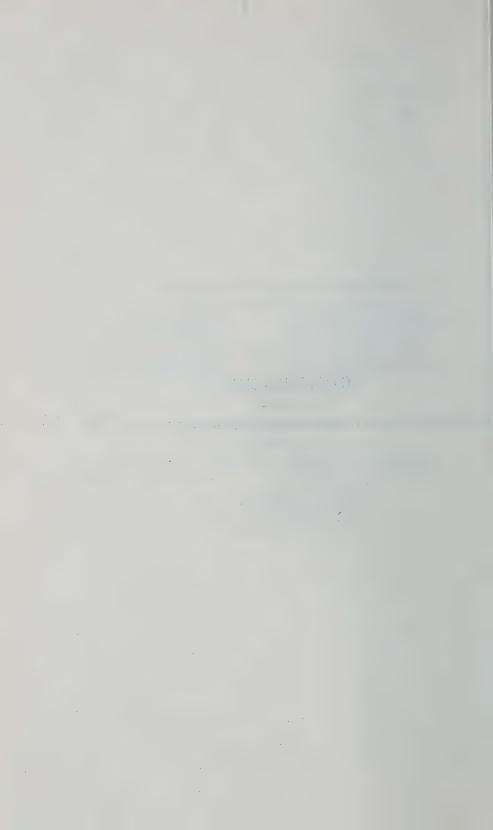
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MONDAY, APRIL 26, 1954

United States Senate,
Special Subcommittee on Investigations of the
Committee on Government Operations,
Washington, D. C.

The subcommittee met at 10:30 a.m., pursuant to recess, in the caucus room of the Senate Office Building, Senator Karl E. Mundt,

chairman, presiding.

Present: Senator Karl E. Mundt, Republican, South Dakota; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; Ruth Y. Watt, chief clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hénsel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; and Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator Mundt. The committee will please come to order.

The Chair wishes to express its appreciation to Mr. Carroway for having installed a new loudspeaker system which I understand is operating much more effectively from the standpoint of our visitors in the room and the members of the press than the previous one.

I have been asked to state that Senator Dirksen is attending an important conference which will not detain him perhaps more than 15 or 20 minutes at the outside. But he wanted me to explain the reason why has was not here at the beginning, but he will be here shortly thereafter.

The committee will now come to order, and Mr. Stevens is here and

he is seated at the witness table.

Here is Senator Dirksen in response to my promise. And our counsel, Mr. Jenkins, will proceed with the interrogatories.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Mr. Jenkins. Shall we proceed now, Mr. Chairman?

Senator Mundt. You may proceed.

Mr. Jenkins. Mr. Stevens, on last Friday, you had detailed the events of November 7; is that correct?

Secretary Stevens. That is correct, sir.

Mr. Jenkins. Had you or had you not fully covered the events of that day when you were dismissed from the witness stand?

Secretary Stevens. Yes, sir; I fully covered them, Mr. Jenkins.

Mr. Jenkins. I will ask you now to tell this committee when your next contact was with any member of the investigating staff at which time anything was discussed with reference to the issues in this case, and particularly whether or not any efforts were made on the part of any member of the staff to secure preferential treatment for G. David Schine?

Secretary Stevens. Well, the next direct connection with any mem-

ber of the staff came on the 16th of November.

Mr. Jenkins. Will you tell the members of the committee what occurred on that date and where those occurrences took place?

Secretary Stevens. May I go back just a bit in doing that, sir?

Mr. Jenkins. You certainly may.

Secretary STEVENS. Because the events of the 16th of November are related to those of the 13th of November. That was a news conference that I held in my office in the Pentagon. The newspapers were very much interested in the progress of the Fort Monmouth investigation and in other items of Army business. The important thing, however, so far as this hearing is concerned, was the statement that I made in answer to a question to the effect that as of that date, November 13, I knew of no current espionage or spying at Fort Monmouth.

Mr. Jenkins. I will ask you whether or not you have an exact copy of the statement you made to the press on November 13, or are you speaking from memory?

Secretary Stevens. I am speaking from memory, but I think there possibly may be one available. I do not have it here, Mr. Jenkins.

I beg your pardon. We do have it here.

Mr. Jenkins. Will you please read that into the record?

Secretary Stevens. Well, this is a very long-

Mr. Jenkins. Only that part of it relating to your statement with respect to whether or not there was any current espionage at Fort Monmouth.

Secretary Stevens. I will be glad to do that, sir, but I will have to go through it and find out where it was. I am giving you the recollection on what the really important point was in the press conference.

Mr. Jenkins. While your attorney is finding that portion of the statement that is relevant, will you pass on to November 16, and then we will go back to the statement given the press.

Secretary Stevens. Well, on November 16, Mr. Cohn came to my office with Mr. Carr, and they indicated that Senator McCarthy was very much displeased with my press conference.

Mr. Jenkins. What, precisely, did they say, Mr. Secretary? Secretary Stevens. Mr. Cohn said that Senator McCarthy was mad, that I had double-crossed him, and words to that effect.

Mr. Jenkins. Mr. Secretary, I think Senator McCarthy is trying

to get the attention of the Chair.

Senator McCarthy. Mr. Jenkins, I just came in and I missed whether or not you developed who instigated this meeting, whether Mr. Cohn did or Mr. Carr or Mr. Stevens?

Mr. Jenkins. As of November 16, Senator?

Senator McCarthy. The one that we are talking about now.

Mr. Jenkins. Would you answer the question asked by the Senator from Wisconsin as to who initiated this meeting of November 16?

Secretary Stevens. Mr. Cohn initiated it.

Mr. Jenkins. Mr. Cohn did. Now go ahead and tell the events of

that meeting as you recall them.

Secretary Stevens. As I say, Mr. Cohn indicated that Senator Mc-Carthy was very mad and felt that I had double-crossed him, and that he did not believe my statement to the press was a correct one. Of course, in the meanwhile the press had carried what I had said to a considerable extent; the impact of which was that I as of that date, November 13, did not know of any current espionage or spying at Fort Monmouth.

Mr. Jenkins. May I ask you while you are that subject, did you state in your release to the press that there was no current espionage at Fort Monmouth, or did you state there was none that you knew of?

Senator Mundt. Before you answer, Mr. Secretary, the members of the committee are in difficulty because there is a new light added up there which shines in our eyes. From the left side of the chairman it s difficult even to see the witness. I think that light has either been moved closer to the table, or it has been made brighter, or something. It is very disturbing. That was not the case last week. Whoever is in charge of the light, please take the necessary corrective steps.

We will proceed.

I am sorry to interrupt and if you do not have the question, we will

ask the reporter to repeat it.

Secretary Stevens. Yes, I could say, sir, I didn't make any statement, I gave out no press release as I recall it, and it was a question and answer period with the press.

I think the important thing here is what I am quoting now from

this draft, I said:

So far as the Army is concerned, it did not have any proof that there was any espionage.

Mr. Jenkins. Those were your exact words?

Secretary Stevens. Yes, sir. Mr. Jenkins (reading):

So far as the Army is concerned, it has no proof of espionage.

Secretary Stevens. That is right. Mr. Jenkins. Is that correct? Secretary STEVENS. That is right. Mr. Jenkins. That was on the 13th?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Now, you were discussing a conference between you and Mr. Cohn and Mr. Carr on November 16. Had you fully related what had been said to you on that date by either Mr. Cohn or Mr. Carr?

Secretary STEVENS. Well, I stated the main points to Mr. Jenkins that before and after Senator McCarthy came into the room, I said that I was sorry that Senator McCarthy felt as Mr. Cohn indicated that he did, but I certainly hadn't intended to have any such effect, and I inquired where he was and found he was in New York, and I said I would go to New York and see Senator McCarthy, which I did.

Mr. Jenkins. Why did you go—— Senator McCarthy. Mr. Jenkins——

Senator Munder. The Senator will address the Chair rather than Mr. Jenkins, if he has a point of order. Is the Senator addressing the Chair?

Senator McCarthy. With the young man here taking pictures, did I understand the Secretary to say that McCarthy was in the room at that time?

Secretary Stevens. No, sir.

Mr. Jenkins. You said Mr. Cohn and Mr. Carr were in the room.

Secretary Stevens. Correct.

Mr. Jenkins. Who did the talking, Mr. Cohn or Mr. Carr?

Secretary Stevens. Mostly Mr. Cohn.

Mr. Jenkins. Do you remember anything whatever that was said to you on that occasion by Mr. Carr?

Secretary Stevens. I would say that my recollection is principally the points made by Mr. Cohn, and I can't recall what Mr. Carr said. Mr. Jenkins. You made no memorandum of that conversation at

he time?

Secretary Stevens. No, sir.

Mr. Jenkins. And you are speaking from recollection?

Secretary STEVENS. That is right.

Mr. Jenkins. Now, as a result of what was said to you on that occasion, that is November 16, you say that you went to New York to see Senator McCarthy?

Secretary Stevens. I did.

Mr. Jenkins. What was the purpose of that visit?

Secretary Stevens. The purpose of the visit was that I felt that Senator McCarthy had misunderstood what I had said at the press conference. I felt what I had said at the press conference was correct, and I thought I would like to face right up to it, discuss the matter out and see where we stood.

Mr. Jenkins. In other words, make peace? Is that what you mean,

Mr. Secretary

Secretary Stevens. Well, I wanted to—

Mr. Jenkins. Very well, what was the date of that visit to New York?

Secretary Stevens. The 17th of November.

Mr. Jenkins. Will you tell what transpired on the 17th of November between you and Senator McCarthy in New York City?

Secretary Stevens. I flew to New York in the morning, and I

took——

Mr. Jenkins. Did anyone go with you?

Secretary Stevens. Yes, Colonel Cleary, of my staff, went with me and Mr. Adams. I invited Senator McCarthy and his staff to have

luncheon with me once again at the Merchants Club in New York, which I have mentioned previously. That luncheon I should say was around 1 o'clock. Senator McCarthy came with Mr. Cohn and Mr. Carr, and he also brought with him Mr. Sokolsky, who joined with us throughout the period of the luncheon. I, of course, was there, and Colonel Cleary was there, and Mr. Adams was there.

After a few preliminaries, I said to Senator McCarthy or inquired of him as to why he was so provoked with me, and he indicated that he thought that my press conference had been badly handled, shall we say; that I hadn't given a correct picture as to the situation at

Forth Monmouth, and he was quite put out about it.

So we then discussed the question of what should be done about it. I indicated that I would be willing to consider issuing a clarifying statement if there was one that appropriately could be issued. That was discussed. I recall that Mr. Sokolsky, who sat at the far end of the table from where I was, took a piece of paper and pencil and began to write some notes down, I think trying to formulate some possible area of agreement, if you will.

Mr. Jenkins. For the purpose of clarification, was that or not Mr.

George Sokolsky, a newspaper columnist?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Very well. Go ahead now.

Secretary Stevens. Mr. Cohn also, I believe, made a few notes on a piece of paper looking toward a possible statement, and so did Mr.

John Adams.

We had luncheon. As I recall it, that was the day when Attorney General Brownell was making his TV broadcast with respect to the White case. After luncheon we moved into the next room where I had asked television to be installed. We watched that for a while, and finally there was, I think, general agreement on a program for Senator McCarthy and myself to hold a joint news conference.

By this time I should add that the newspaper people had come to the Merchants Club in rather substantial numbers. Senator Mc-Carthy and I went out and visited with them, I should think along

about midafternoon.

The substance of my statement was that in saying that I had no evidence of current espionage or spying at Fort Monmouth, I was speaking for the Army, but I, of course, was not speaking for this committee. I made that distinction clear, which didn't change in any way the substance of my statement at the press conference, to wit, that I knew of no current espionage at Fort Monmouth. That is the statement that I made.

The Senator and I visited with the press for a few minutes, and

then that adjourned.
Shall I carry on, sir?

Mr. Jenkins. Do you have any record of the exact statement you made to the press in New York City on this date, that is, November 17?

Secretary Stevens. Of course, it was an extemporaneous statement. I am sure it is available in the press coverage of the event, but I don't think I have anything on it here, sir.

Mr. Jenkins. Is it your position that it was in nowise different in substance to your first statement given to the press at the Pentagon?

Secretary Stevens. No difference in substance. That is the way I felt about it.

Mr. Jenkins. But worded differently?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Designed for the purpose of, shall we say, pacifying or modifying the Senator?

Secretary Stevens. I have been cooperating right along with the

Senator and his committee, and I wanted to continue to do it.

Mr. Jenkins. Did Senator McCarthy invite you to come to New York City for the purpose of that conference and for the purpose of making any changes, if changes were made, in your release to the press?

Secretary Stevens. No, sir. I initiated it.

Mr. Jenkins. You initiated that?

Secretary Stevens. Yes. sir.

Mr. Jenkins. You asked whether or not you should continue, and

my answer is yes, if you will, Mr. Secretary.

Secretary Stevens. Then, with the meeting about to adjourn, it appeared that Senator McCarthy and Mr. Cohn and I think Mr. Carr were planning to hold hearings in Boston or in the Boston area the next day, and Mr. Cohn indicated that he wanted to see Private Schine before going to Boston.

Senator McCarthy indicated that he also would like to see Private Schine. So I said, "All right, I am going back to Washington. I will fly you down as far as McGuire Air Base, which adjoins Fort

Dix."

So my party, along with Senator McCarthy's party, made that flight. We landed at McGuire Airbase, and we were met there by General Ryan, the commanding general of Fort Dix, by several members of his staff, and Private Schine was also there.

Mr. Jenkins. Mr. Secretary, did you ever see Mr. Roy Cohn personally subsequent to November 17 last year with reference to any issue in this controversy and particularly with reference to any effort on his

part to secure preferences for Schine?

Secretary Stevens. After the 17th of November?

Mr. Jenkins. Right.

Secretary Stevens. I think not, sir.

Mr. Jenkins. Did he ever talk to you on the telephone with reference to Private Schine, subsequent to November 17, either in a call initiated by himself or by you?

Secretary Stevens. I do not recall any call at the moment.

Mr. Jenkins. Did Senator McCarthy ever discuss Private Schine with you subsequent to November 17?

Secretary Stevens. Yes, sir.

Mr. Jenkins. When was the next time, Mr. Stevens?

Secretary Stevens. The next time was on the 10th of December.

Mr. Jenkins. Where did that occur?

Secretary Stevens. That occurred at luncheon at the Carroll Arms Hotel here in Washington.

Mr. Jenkins. What was said on that occasion by Senator Mc-Carthy to you or to anyone in your presence with reference to Schine?

Secretary Stevens. Senator McCarthy asked a number of times during the course of that luncheon if Private Schine could be assigned to New York.

Mr. Jenkins. Who was present at that luncheon, may I ask, Mr. Secretary?

Secretary Stevens. Senator McCarthy, Mr. Carr, Mr. Adams, and

myself.

Mr. Jenkins. Very well.

Secretary STEVENS. Senator McCarthy asked on several occasions why he couldn't be assigned to New York at the end of 8 weeks of basic training.

Mr. Jenkins. How many times would you say, in your best judgment, such a question was asked you or such a request was made by

Senator McCarthy?

Secretary Stevens. I would say about three, just as a guess.

Mr. Jenkins. I will ask you whether or not on that occasion I understood that the Senator was quite insistent about the matter or—

Secretary Stevens. Yes—

Mr. Jenkins. Or were those statements made in a casual sort of

way!

Secretary Stevens. Yes; I felt that through repetition he was quite insistent about it. He also said that he knew of a number of cases where boys had been given assignments after 8 weeks of basic training.

Mr. Jenkins. Did you know of any case where a boy had been given such an assignment after only 8 weeks of basic training?

Secretary Stevens. No, sir; I didn't.

Mr. Jenkins. What were your replies to the Senator?

Secretary Stevens. I told him that David Schine, like every other boy, would have to finish his 16 weeks of basic training.

Mr. Jenkins. And what were the reactions of the Senator to that?

Secretary Stevens. Well, I am sure that, of course I am sure that

the Senator knew that I meant it when I said that.

Mr. Jenkins. Did anything else of interest occur at the Carroll

Arms on November 10?

Secretary Stevens. I think that was the principal event.

Mr. Jenkins. When next, if at all, did Senator McCarthy contact

you or did you converse with him-

Senator McCarthy. I hate to interrupt, Mr. Chairman. But I wonder if Mr. Jenkins would again make it clear who initiated this meeting.

Mr. Jenkins. I will ask this question now: You were talking about

this conference at the Carroll Arms on December 10.

Secretary Stevens. That is right.

Mr. Jenkins. Was that meeting initiated by Senator McCarthy or any member of his staff or—

Secretary Stevens. By them.

Mr. Jenkins. By them? Secretary Stevens. Yes, sir. Mr. Jenkins. Very well.

Secretary Stevens. Also, I recall one other item that the Senator was talking about; an assignment for Private Schine in New York.

Mr. Jenkins. Will you stop there?

Senator Mundt. The Senator has a point of order.

Senator McCarthy. I just wonder, Mr. Chairman, if the Secretary would identify who he means by "them." I understood Mr. Adams

initiated this. And I wish he would tell who initiated this meeting. Secretary Stevens. My recollection is, Senator, it was originated by your office.

Mr. Jenkins. Very well; you may go ahead.

Now, you say there was one other item of interest that occurred on the day of December 10 that you had not related to the committee. Will you do so now?

Secretary Stevens. Well, in connection with a possible assignment of Private Schine to New York, Senator McCarthy suggested that

he might be useful in checking West Point textbooks.

Mr. Jenkins. And what was your reply to that?

Secretary Stevens. That Private Schine would have to finish his

16 weeks' basic training.

Mr. Jenkins. When next, if at all, did either the Senator or any member of his staff contact you or you contact them with reference to David Schine, if at all?

Secretary Stevens. I think the next contact was the 14th of

January

Mr. Jenkins. What occurred then, Mr. Stevens, and where did it occur?

Secretary Stevens. On that one I initiated that meeting—

Mr. Jenkins. Very well. Secretary Stevens. I was-

Mr. Jenkins. That is January 14, as we understand it?

Secretary Stevens. Yes. I was planning to leave for the Far East on the 17th, and I had an extensive trip to the Eighth Army, and other points in the Far East, coming up. I wanted to have a meeting with Senator McCarthy before I left so that I could tell him I was going. And he knew I would be out of circulation, so to speak for a while, so I asked for this meeting; and it was arranged to meet at 5 c'clock in the afternoon, or thereabouts, at the Carroll Arms Hotel.

Mr. Wflch. Mr. Chairman, I am under the impression that there was an item of contact in written form that the witness has passed by inadvertently. I call your attention, Mr. Stevens, to a letter that I

now show you.

Senator Mundt. He may revert to that and show it in the record. Secretary Stevens. I had not forgotten it, but I can answer your question which related to personal contact. The fact remains—

Mr. Jenkins. Do you have a letter in your possession from any

party in interest to this controversy?

Secretary Stevens. Yes, sir. Mr. Jenkins. From whom?

Secretary Stevens. From Senator McCarthy. Mr. Jenkins. What is the date of that letter?

Secretary Stevens. The letter is dated December 22, and it is one which has been previously referred to in this hearing.

Mr Jenkins Mr Secretary will you now read the

Mr. Jenkins. Mr. Secretary, will you now read that letter into the record for the benefit of this committee and then file it?

Secretary Stevens. Yes, sir. [Reading:]

Hon. ROBERT T. STEVENS, Secretary of the Army,

The Pentagon, Washington, D. C.

DEAR BOB: I have heard rumors to the effect that some of the members of my staff have intervened with your Department in behalf of a former staff consultant, David Schine. This they, of course, have a right to do as individuals.

However, as I have told you a number of times, I have an unbreakable rule that neither I nor anyone in my behalf shall ever attempt to interfere with or influence

the Army in its assignments, promotions, et cetera.

I have discussed this matter with members of my staff, some of whom feel very strongly that in view of the fact that Mr. Schine is over 26 years of age, attempted to enlist in the Army when he was 18, was refused because of a slipped disc in his back, and thereupon enlisted in the merchant marine, he would never have been drafted except that the extreme left-wing writers such as Pearson, et al., started screaming about his case, because he was a consultant for our committee. I realize that the decision of the draft board to reopen his case obviously was unknown to you and far below your level of operations.

While I am inclined to agree that Mr. Schine would never have been drafted, except because of the fact he worked for my committee, I want to make it clear at this time that no one has any authority to request any consideration for Mr. Schine other than what other draftees get. I think it is extremely important that this be made very clear in view of the present investigation which our committee is conducting of the Communist infiltration of the military under the

Truman-Acheson regime.

Let me repeat what I have said to you before, the course of this investigation will in absolutely no way be influenced by the Army's handling of the case of any individual, regardless of whether he worked for my committee or not.

With kindest regards, I am

Sincerely yours,

JOE MCCARTHY.

Mr. Jenkins. Will you file that, Mr. Secretary, as an exhibit to your testimony?

Secretary Stevens. Yes, I will.

Mr. Jenkins. Now, you had passed to the events of January 14, is that correct?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Will you tell the committee what occurred then? Secretary Stevens. I met Senator McCarthy at the Carroll Arms about 6 o'clock in the afternoon.

Mr. Jenkins. Was that by appointment? Secretary Stevens. Yes, sir, initiated by me.

Mr. Jenkins. Well, who was present on the occasion of that meet-

ing, Mr. Secretary?

Secretary Stevens. Senator McCarthy and I were present alone for the first part of the meeting, and we were later joined by a gentleman who Senator McCarthy introduced to me as Al McCarthy.

Mr. Jenkins. Did you know him? Secretary Stevens. No, sir, I did not.

Mr. Jenkins. Have you later learned that he is not related to Senator McCarthy, for the purpose of identifying him? Secretary STEVENS. The Senator told me at the time.

Mr. Jenkins. Now tell what occurred at the Carroll Arms at 5

o'clock p. m. on January 14 of this year.

Secretary Stevens. Well, I explained my forthcoming trip to the Far East to the Senator, and I also told him about the fact that David Schine was going to be transferred at the end of 8 weeks of basic training to Camp Gordon, which is the provost marshal general's center at Camp Gordon, Ga. I told him that that was where the criminal investigation school of the provost marshal general's department was located, and I indicated that if David Schine applied and if he qualified, it was possible that he might finally be accepted in the school; but that would depend first of all on David Schine himself and his record, and secondly, whether or not he qualified.

During the course of this meeting, on 4 or 5 occasions Senator Mc-Carthy brought up the question of whether or not David Schine could

be assigned to New York City when his training was over. I said that David Schine would have to finish his training.

Mr. Jenkins. Did the Senator tell you why he would like to have

Schine assigned to the New York City area?

Secretary Stevens. No, sir, he did not tell me why, but he persistently asked me.

Mr. Jenkins. You said 4 or 5 times, Mr. Stevens? Secretary Stevens. Yes, sir, that is correct.

Mr. Jenkins. Very well.

Secretary STEVENS. That is right.

Mr. Jenkins. Did anything of interest occur on that occasion?

Secretary Stevens. Well, I think possibly one item, and that was that I was somewhat sensitive to this being asked—this question about David Schine being assigned to New York City after his training so when it came up it made an impression on me and finally I said to Senator McCarthy, "Now, you wrote me a letter dated December 22"the one that I have just read into the record, Mr. Jenkins—"in which you said that there was not to be any pressure or anything of that kind put on the Army, and I would just like to remind you of that letter." The Senator dropped that particular point.

Mr. Jenkins. I will ask you whether or not you and Senator McCarthy ever subsequently to that time discussed David Schine.

Secretary Stevens. I left on the 17th for the Far East and I did not get back until the 23d of February, and I don't think we did.

Mr. Jenkins. I believe you stated that subsequent to November 17 you never had any conversation with Mr. Roy Cohn with reference to Schine, is that correct?

Secretary Stevens. I don't recall any, sir.

Mr. Jenkins. So your last conversation with the Senator was on January 14, this year.

Secretary Stevens. With respect to Schine, yes, sir.

Mr. Jenkins. Did Mr. Frank Carr ever contact you or discuss with you Schine subsequent to the 17th of November?

Secretary Stevens. I don't recall that he did, no, sir.

Mr. Jenkins. Now, Mr. Secretary, you state in your pleadings, as I recall, that no less than 65 telephone calls were made to you or to your subordinates with reference to favors or preferential treatment to David Schine. Is that correct or not?

Secretary Stevens. Telephone calls on the subject of David Schine. Mr. Jenkins. From the McCarthy investigating committee, you

mean, or members of its staff?

Secretary Stevens. Yes, sir. There were, I think, all told about that number.

Mr. Jenkins. 65?

Secretary Stevens. Yes.

Mr. Jenkins. As I recall you state that there were some 19 personal contacts with you or members of your staff with reference to David Schine, is that correct?

Secretary Stevens. That is right.

Mr. Jenkins. Making a total of 84 contacts either in person or by telephone with reference to either a commission or preferential treatment for Schine; is that correct?

Secretary Stevens. Well, I would say, Mr. Jenkins, with reference

to Schine.

Mr. Jenkins. With reference to Schine?

Secretary Stevens. Yes.

Mr. Jenkins. By that do you mean that not all of them were in the form of requests for leaves of absence, escaping KP, and things of that kind?

Secretary Stevens. I think a large number of them were—I know a large number of them were for that purpose, but I would not want to say that every one of those 84 contacts in which the subject of Schine was discussed was for specific preferential treatment. Most of them I think were.

Mr. Jenkins. On the occasion of the last conversation you had with the Senator on the 14th of January you had then been in office approximately 1 year, lacking perhaps a couple of weeks; is that

correct?

Secretary Stevens. About 3 weeks; yes, sir.

Mr. Jenkins. During that year's period state whether or not you received calls or were contacted personally with reference to any other soldier, inductee, or draftee, in any comparable number of times?

Secretary Stevens. Positively not.

Mr. Jenkins. Mr. Stevens, I want to ask you this question: Did you feel that these efforts and attempts on the part of this staff on behalf of Schine were made by Senator McCarthy personally, individually, or as a United States Senator on the one hand; or that they were made by him not only as a Senator but also as a member of the so-called McCarthy investigating committee, with all of its judicial powers, we will say? What were your impressions with respect to that?

Secretary Stevens. My impression was, Mr. Jenkins, that Mr.

Cohn----

Mr. Jenkins. My question was with reference to Senator McCarthy,

to begin with.

Secretary Stevens. Yes, sir. I was going to relate that, if I may. I was going to say my impression was that Mr. Cohn was tremendously interested in Mr. Schine and in having special treatment for Mr. Schine.

Mr. Jenkins. Do you mean Mr. Cohn as Mr. Roy Cohn individually, or Mr. Cohn occupying the powerful position that he did as

chief counsel for this investigating committee?

Secretary Stevens. I mean occupying the powerful position that

he did of chief counsel for this committee.

Mr. Jenkins. Do you feel that he used his office in an attempt at a perversion of the rules of the Army with reference to the treatment accorded an inductee or draftee?

Secretary Stevens. I do.

Senator McCarthy. Mr. Chairman? Senator Mundt. Your point of order?

Senator McCarthy. I think it might be well, in view of this line of questions that Mr. Cohn "exerted," that Mr. Stevens be asked to produce the Inspector General's report on just what consideration Mr. Schine got. I am curious to know what special consideration he got. I think it should be in the record. I am suggesting that you do this out of order. Mr. Jenkins may have in mind doing this later. I don't know.

Mr. Jenkins. Mr. Chairman, may I state I am about ready to cross-examine the witness, and I do ask the Senator to be patient. I think those matters will be clarified.

Senator McCarthy. Certainly.

Senator Mund. May the Chair remind all the members of the committee and the counsel for both sides that under the rules by which we operate, the counsel is to proceed without interruption save only for a point of order, and it is a little bit disruptive of counsel's line of thinking if members of the committee or members of the counsel endeavor to anticipate the questions he is about to ask.

Senator McCarthy. I would like, if I may, for the record, to get some information from the Chair. We do not have nearly as many

admirals here as generals—

Senator MUNDT. That would not be a point of order.

Senator McCarthy. There is a question I would like to ask you. I would like to know whether any of these generals are here at the request of the subcommittee, or whether they are here at the request of someone from the Pentagon.

Senator Mund. The Chair will say that the only person here this morning at the request of the subcommittee is Secretary Stevens, who

is seated behind the microphone.

Senator McCarthy. Thank you very much.

Senator Mundr. You may proceed.

Mr. Jenkins. You have related your impressions and opinions with reference to efforts or pressure on the part of Mr. Cohn.

Secretary Stevens. Yes, sir.

Mr. Jenkins. Getting back to my previous question with reference to Senator McCarthy, do you recall what the question is?

Secretary Stevens. If it is not asking too much, I would appreciate

having it repeated, Mr. Jenkins.

Senator Munder. Is counsel able to repeat it? Mr. Jenkins. I don't mind repeating it. Senator Munder. You may repeat it.

Mr. Jenkins. Do you consider that these requests, these conversations, these statements you have related on the part of Senator McCarthy with respect to Schine, were made by him as a person, an individual, or a United States Senator on the one hand; or, on the other hand, not only as a United States Senator but as chairman of the powerful investigating committee which he headed, with all of its judicial powers? In what capacity did you consider he was acting, Mr. Stevens, in these various requests made of you by him?

Secretary Stevens. Mr. Jenkins, at first I thought that it was, you might say, a sort of personal thing in some way. That was the way it began. But as it went along over a period of time and continued to recur, and the chief counsel, Mr. Cohn, showed the vigorous interest that he did in the subject, I finally had no other course than to conclude that Mr. Cohn's activities were with the knowledge and approval

of the chairman of this committee.

Mr. Jenkins. I take it that you knew that these various requests and pressures you have detailed were occurring simultaneously with the investigation of this committee of a department of the Army, to wit, Fort Monmouth?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Now, Mr. Secretary, I will ask you whether or not, in your opinion, Mr. Frank Carr, a party in interest, considering his participation in this general pattern you have detailed, sought to and did use his office in an effort to secure favors for David Schine?

Secretary Stevens. I would say, Mr. Jenkins, that Mr. Carr's activities in this connection were extremely limited by comparison with Mr. Cohn's. I don't think that he had nearly the interest in the subject. He was present at times when it came up. I don't think he did anything to keep it from coming up.

By the same token, in my particular firsthand contact with it, Mr. Carr did not have anything like the pressure approach to it that Mr.

Cohn did.

Mr. Jenkins. You would say, generally, his attitude was a passive one?

Secretary Stevens. Very largely.

Mr. Jenkins. Mr. Stevens, I want to ask you this final question on direct examination and you may consult your counsel if you desire

before you answer it.

Is there any other fact or are there any other facts or circumstances in support of the charges you have made against the investigating committee about which I have not asked you on direct examinanation that you now want to relate to this committee?

(The witness consulted with his counsel.)

Secretary Stevens. I think, Mr. Jenkins, that Mr. Adams has a great deal of information that will be presented and which is related to many of the areas or points which I directly came in contact with this thing.

Mr. Jenkins. I am talking about the matters peculiarly within

your own personal knowledge.

Secretary Stevens. I think I have substantially covered that, sir.

Mr. Jenkins. This is in the form of a statement. Senator Munder. Counsel may proceed.

Mr. Jenkins. You appreciate the fact that my position, Mr. Stevens, is a peculiar one, representing the committee, representing neither the Army, nor the Senator or members of his staff. And that in a proper appraisal of the value of your testimony, a proper evaluation of it, a cross-examination is proper so that the committee's attention may be called to any matters that are proper to bring out on cross-examination. You appreciate that fact, do you not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You further know the charges have been preferred against you and Mr. Adams by Senator McCarthy and the members of his staff?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You know what those charges are and you have read his document?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Mr. Stevens, your charges in the main against the Senator, indeed, as I recall, the only charge you made was that he, Mr. Cohn, and Mr. Carr sought to use undue and improper influences to secure preferential treatment for one G. David Schine, that is correct, isn't it?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Now, I ask you this: In making a proper appraisal in what efforts, if any, were made by the Senator, and the members of his staff, is it not proper in your opinion to give consideration to the work in which David Schine was engaged with this committee and to the work in which the committee was engaged? Is that right, in your opinion?

Secretary Stevens. I think they were entitled to give that consider-

ation.

Mr. Jenkins. In short, a dozen calls by Senator McCarthy or any member of his staff with reference, we will say, to me, who is not essential, might be considered unusual and extraordinary, and you might consider that unfair pressure was being brought to bear upon you, is that correct?

Seretary Stevens. I am afraid, sir, that I didn't quite follow that

question.

Mr. Jenkins. All right, hypothetically, assume that Senator McCarthy and the members of his staff put in, we will say, a dozen calls for a man who was engaged in nonessential work, a ditchdigger, and I mean no reflection on a ditchdigger. Might that not be considered an extraordinary number of times for intercession on behalf of that particular individual?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Assume, on the other hand, that that number of calls and that number of contacts were made by and on behalf of a man who had special training in the investigation of espionage and of infiltration of Communists in the Army and other departments of the Government, whose work of vital importance to the national defense and security. Under those circumstances, Mr. Stevens, is it not your opinion that the same number of calls put in for the latter-described man would not be considered extraordinary?

Secretary Stevens. I think it would be considered extraordinary. And, if I may, sir, I would like to go back to your first question on this subject, because I am not sure but what I misunderstood it. It seems

to me---

Mr. Jenkins. Well, the question is this: What would be extraordinary for one man would not be extraordinary for another, depending on the character of work the man is in, am I right or not?

Secretary Stevens. There could be a difference, yes, sir.

Mr. Jenkins. That is what I am getting at.

Now, Mr. Stevens—

Secretary Stevens. Could I go back, because on your first question, dealing with this situation, you asked me a question about whether or not it was proper to take David Schine's qualifications into account

or something of that sort.

I think that the place and time to do that, Mr. Jenkins, was prior to his being drafted and not after he was drafted by selective service which is a completely independent arm of the Government. I think once the selective-service process worked that it was then incumbent upon Senator McCarthy and his staff not to make calls, such as you referred to, to the Army.

Mr. Jenkins. Then it is your opinion that after the processes of the draft have been fully completed, and executed, and the subject is drafted and in the Army, that regardless of his qualifications or the character of work in which he is engaged, be it the investigation of espionage or otherwise, that any effort on the part of anyone

on his behalf is improper?

Secretary Stevens. I won't say any effort. I think it is perfectly all right, and it would all come out anyway through the testing that we do with all of the boys that come into the Army as to what his qualifications were. And if Senator McCarthy wanted to call it to your attention, I would have no objection to it. But I do object violently to the amount of attention that was devoted in this particular case.

Mr. Jenkins. Mr. Secretary, is it not a fact that you did make concessions to David Schine with reference to leaves of absences,

passes, and so on?

Secretary Stevens. Mr. Jenkins, we did, and the reason we did it is because, as I said on Friday, we did not want, or I did not want, the Army to be in the position of obstructing the work of a committee of Congress that at that time was engaged in investigating the Army. Therefore, since this consultant to this committee's staff had been taken by selective service, and had been inducted in the Army, or was about to be, my position was that in the tapering off process from the time he left his assignment as consultant to this committee until he became 100 percent Army private, that it was reasonable during that change-over or transition period that he should be made available for committee business, for committee business alone, if it did not interfere with his training.

Mr. Jenkins. And you did do that?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And he was given an extraordinarily large number of passes and leaves of absences, wasn't he?

Secretary Stevens. That is correct, sir.

Mr. Jenkins. And Mr. Stevens, that was because he was a consultant on a committee attempting to and/or tracking down infiltration of communism in the Army, wasn't it?

Secretary Stevens. That is right. Mr. Jenkins. That is right, isn't it?

Secretary Stevens. Yes.

Mr. Jenkins. Now, starting with that as a major premise, I ask you now to give the Stevens versions, if I may refer to it thusly, of the investigation by Senator McCarthy and his staff of Fort Monmouth. I want your version of the work that was done by the Senator and his staff, the character of work they did, the importance of it in your opinion, and the necessity for it, or the lack of necessity for it as relating to Fort Monmouth.

Secretary Stevens. All right, sir. The formal hearings which were in executive session of this committee in the case of Fort Monmouth,

started on October 8, 1953.

I assumed there had been work done by the staff of this committee prior to the opening of those hearings. The Army, itself, had, of course, been carrying on investigatory work at Fort Monmouth as well as elsewhere throughout the Army system, and continuously so.

We were aware of the history at Fort Monmouth. We wanted to

We were aware of the history at Fort Monmouth. We wanted to be sure that our security situation was in good shape and certainly that there was no espionage. We collaborated very closely with the FBI in respect of Fort Monmouth. We took up under the new criteria

of the new administration matters of security, looking into cases where

there could be any possible question.

I think prior—in fact, I know that prior to the formal opening of the Fort Monmouth hearing, there had been six suspensions in Fort Monmouth for security reasons—in other words, cases where individuals—where there was no question of loyalty involved but for one reason or another, either because of derogatory information or because the person might talk too much, or something of that kind, those cases—it was that type of case that were the six that were suspended prior to October 8.

Mr. Jenkins. They would be poor security risks at Fort Monmouth,

is that right?

Secretary Stevens. They might be.

Mr. Jenkins. I understand. You are saying now that they were suspended as a result of the efforts of your agency and not that of the McCarthy committee, is that correct?

Secretary Stevens. Yes, sir; that is right.

Mr. Jenkins. Six of them? Secretary Stevens. Six of them.

Mr. Jenkins. Prior to the opening of the formal hearings by Senator McCarthy?

Secretary Stevens. Following the opening of the hearings and up

to this time there had been an additional 29 suspensions.

Mr. Jenkins. As a result of the McCarthy investigation?

Secretary Stevens. No, sir; as a result; I would like to answer this way, if I may, because I think you have given me an extraordinarily difficult question and I would like to answer it to the best of my ability.

Mr. Jenkins. You are entitled to explain. I think maybe we are entitled to a yes or no answer, and then you are certainly entitled to explain. But if you can't answer it yes or no, answer it the best way you can. You know my question.

You say that you procured the suspension of six men, civilian em-

ployees at Fort Monmouth?

Secretary Stevens. That is right.

Mr. Jenkins. I think it is in this record abundantly that Fort Monmouth is the site of a radar installation, is it not?

Secretary Stevens. Yes, sir; for research and development of it. Mr. Jenkins. Research and development and it is tremendously important to the security of the Nation?

Secretary Stevens. That is right.

Mr. Jenkins. Primarily where defenses against the atomic and the hydrogen bombs are set up; is that right, Mr. Stevens?

Secretary Stevens. I would——Mr. Jenkins. It is one of the sites?

Secretary Stevens. Yes, sir. I prefer not to elaborate on that, sir.

Mr. Jenkins. Very well.

You had procured the suspension of six men; is that correct?

Secretary Stevens. That is right, sir.

Mr. Jenkins. Prior to the entrance of Senator McCarthy into the picture?

Secretary Stevens. That is right.

Mr. Jenkins. We are asking you now for your version, and, of course, with the understanding that when the time comes we will get the McCarthy version.

Secretary Stevens. Correct; that is right.

Mr. Jenkins. Have any of those six men suspended as a result of

your efforts been reinstated?

Secretary Stevens. Mr. Jenkins, you asked me to give my story about Fort Monmouth, and I want to go through that to the best of my ability. On the other hand, if you want to go into the detail of every single one of those cases—

Mr. Jenkins. No, sir. I have no intention of doing that whatever. It is just the simple question: Were any of them ever reinstated?

I am referring to the six men.

Secretary Stevens. I can't answer that; but I can say this: That out of the total of 35 who were involved, the 6 originally suspended and 29 later, 13 of those have been reinstated in nonsensitive positions; that is to say, clerical or other type of jobs where classified material is not available to them. That is due to the fact that thus far no charges of sufficient substance have been put together to affect these 13 people.

So they have been reinstated in nonsensitive positions pending further investigation of their cases to see in a fair American way

whether or not charges can be preferred.

Now, in respect to the other remaining 22 cases, 16 of those have been heard by hearing boards in the First Army area. Those hearing boards are in process of making reports on these cases. I don't have any reports on any of them as of this present time.

The six remaining cases of suspended employees at Fort Monmouth

remain to be heard by a hearing board.

I would like to say that thus far, and we have indication that this will continue, there has been no case in which any one of these 35 people has pleaded the fifth amendment or refused to answer any questions that have been put to them.

Mr. Jenkins. Senator Stevens—pardon me. Mr. Secretary, I

don't know whether that would be a promotion or not.

Senator Mundt. The Chair didn't like that "pardon me."

Mr. Jenkins. I will apologize to the chairman.

Were there 27 suspensions as a result of the McCarthy investigation?

Secretary Stevens. My answer to that, if I have to answer it yes or no, would have to be no. Then I have to say but.

Mr. Jenkins. All right, say but and explain why.

Secretary Stevens. The reason I say but is that I think it is probably true that as a result of this committee's activities some of those suspensions took effect sooner than they otherwise would have.

Mr. Jenkins. How many would you say occurred sooner than—what you are saying to the committee now, I think, is that if Senator McCarthy had stayed out of the picture you would ultimately have accomplished the same result that he did; is that right?

Secretary Stevens. Yes, sir.

Mr. Jenkins. But don't you consider, Mr. Secretary, that time is of the essence in the detection of infiltration of Communists in the Army?

Secretary Stevens. I certainly do, sir.

Mr. Jenkins And that the expediting and the segregation and the pinpointing of one with communistic leanings is quite important?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You concede that the McCarthy committee brought about that result?

Secretary Stevens. They speeded up the suspension, yes, sir.

Mr. Jenkins. Speeded it up? How many?

Secretary Stevens. I don't think I could answer that.

Mr. Jenkins. Twenty-odd?

Secretary Stevens. I just don't know.

Mr. Jenkins. Twenty-odd?

Secretary Stevens. I will try to give you an answer to that question, but I don't have an estimate of it now.

Mr. Jenkins. At least there are twenty-odd still under suspension,

aren't there?

Secretary Sievens. Twenty-two, yes, sir.

Mr. Jenkins. Twenty-two still under suspension?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Now, for the purpose of clarification, I want to ask you this question: What person or group of persons or board is responsible, is charged with the duty of making an order effectuating a suspension?

Secretary Stevens. The action originates with the commanding of-

ficer of the particular installation.

Mr. Jenkins. That was General Zwicker?

Secretary Stevens. General Lawton.

Mr. Jenkins. General Lawton at Fort Monmouth; is that correct? Secretary Stevens. Yes, sir.

Mr. Jenkins. It originates with him? Secretary Stevens. That is right.

Mr. Jenkins. Is it consummated by him or is it reviewed by a hoard?

Secretary Stevens. It is reviewed by the First Army Headquarters and then reviewed here in the Department of the Army by what is known as a screening board.

Mr. Jenkins. In other words the suspension is brought about by

Army personnel exclusively?

Secretary Stevens. Army personnel either in or out of uniform;

yes, sir.

Mr. Jenkins. And neither Senator McCarthy, Cohn, nor Carr had one thing to do with determining whether or not a suspension should be made; they simply revealed the facts in an investigation, and then your personnel having those facts before them ruled that the facts were sufficient to justify a suspension; is that correct?

Secretary Stevens. That is correct, but I would like to add to it that

we had facts available, also.

Mr. Jenkins. I do not know exactly what you mean by that statement.

Secretary Stevens. I was not sure from the way you stated it, Mr. Jenkins, as to whether you meant that the McCarthy committee had supplied all of the information on which these suspensions took place.

Mr. Jenkins. Did the McCarthy committee supply any information that was before this board, the commanding general and the personnel of the Army, when these suspensions were put into effect?

Secretary Stevens. I would say they supplied some information.

Mr. Jenkins. You would say they did?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And you would say, and I believe you have said, that their efforts resulted in expediting the suspension of these men under question about whom there was some question?

Secretary Stevens. To some extent; yes, sir. Mr. Jenkins. That is correct; is it not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Now, Mr. Secretary, you are not trying to minimize the efforts of the McCarthy committee; are you?

Secretary Stevens. Am I trying to?

Mr. Jenkins. Yes, that is what I am asking you.

Secretary Stevens. No, sir, I don't feel that I am trying to minimize the efforts of the committee; I am simply trying to get out here, as I know you want me to do, all of——

Mr. Jenkins. This committee wants you to do it, and so do I. Secretary Stevens. The facts I have in respect to Fort Monmouth. My own feeling is that it was a greatly overexaggerated situation.

Mr. Jenkins. Now, that reflects your feelings and opinions, does it not, of that very statement?

Secretary Stevens. Yes, sir.

Mr. Jenkins. That it was a greatly overexaggerated situation?

Secretary Stevens. That is right.

Mr. Jenkins. All right, Mr. Stevens. I believe that you have already stated that you as Secretary of the Army were vitally interested in cleaning out subversives or those about whom there was any question at the earliest possible moment. That is right; is it not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And you concede that Senator McCarthy and his

staff did that very thing; do you not?

Secretary Stevens. I concede that Senator McCarthy and his staff, through the investigation, speeded up to some extent the suspension of some people; but we had information about all of these people and the action would have been taken, but they speeded it up to a certain extent.

Mr. Jenkins. But the point is that it had not been taken, had it,

Mr. Secretary?

Secretary Stevens. It was in the process.

Mr. Jenkins. You had not?

Secretary Stevens. It was in the process of being taken; yes, sir. You see, under the new security regulations in the Government, all of these types of cases were automatically under a new review.

Mr. Jenkins. Ultimately, you say you would have accomplished

the same result?

Secretary Stevens. Yes, sir.

Mr. Jenkins. But Senator McCarthy accomplished it before you had the opportunity to do it; is that it?

Secretary Stevens. No, sir; I do not quite agree that that is it. Mr. Jenkins. You do not agree to that. Now, I understood you did, Mr. Secretary.

Secretary Stevens. I think that I stated—I do not want to in any way evade Mr. Jenkins in any questions. I want to call them exactly as I see them. As I see this case, through the efforts of the committee,

there was expedited to a certain extent some of the cases in which

the suspensions took place.

Mr. Jenkins. Now, very good, I think that answers the question. You would say, therefore, that Senator McCarthy and his staff did an important piece of work that enhanced national security—time being of the essence in the detection of Communists or Reds or "pinks" or whatever you want to call them—in the Army or any other branch of the Government, is that not correct?

Secretary Stevens. That question, Mr. Jenkins, I will have to ask the reporter to read because it is a rather long one and I am not

sure I can grasp it.

Senator Mundt. Will the reporter read the question.

(The question was read by the reporter.)

Secretary Stevens. Well, I certainly agree it is correct to find the security risks, loyalty cases, and act on it fast. There is no question about that. We are all in accord on that completely. The only thing that I say in regard to this, Mr. Jenkins, is having said that in my opinion Senator McCarthy's investigation did speed up to a certain extent in a certain number of cases, I would go on and say that in respect of the whole overall situation which is referred to in your question, that I think it would have been far more effective if we had not pursued the publicity tactics that went with this investigation. I think that that did a lot of harm in a lot of ways.

Mr. Jenkins. Do you charge Senator McCarthy with the publicity

that his investigations entailed?

Secretary Stevens. Well, whenever Senator McCarthy holds an executive session-

Mr. Jenkins. The press is there, I am sure.

Secretary Stevens. No, sir. The press is there, and they are not in the executive session, of course, but when the session is over, Senator McCarthy gives them a rundown of how he feels the thing transpired. And I feel that, right or wrong, a great deal of misinformation and excitement was caused by the reports that he developed after these executive sessions.

Mr. Jenkins. And, Mr. Stevens, you wanted it stopped, didn't you?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And, consequently, you wanted Senator McCarthy's investigation stopped, didn't you?

Secretary Stevens. No, sir; I didn't want it stopped.

Mr. Jenkins. You didn't want it stopped?

Secretary Stevens. No, sir.

Mr. Jenkins. Now, one of the charges made against you is that you sought to discredit his committee and the importance of the work, and do you recall that?

Secretary Stevens. I never did any such thing.

Mr. Jenkins. I will ask you, if you haven't here this morning, on the witness stand, damned him with faint praise, so to speak. Haven't you done that?

Secretary Stevens. No, sir; I think that I have given him credit for having expedited to a certain extent some of those cases at Fort

Mr. Jenkins. Haven't you here on the witness stand this morning minimized the importance of his work in the investigation of Fort Monmouth?

Secretary Stevens. I have told you that the work would have got-

ten done anyhow.

Mr. Jenkins. I understand it, but you further told us that time was of the essence, and it is always too late to lock the barn when the horse is stolen, you know that. And, Mr. Stevens, there are now 20 men still under suspension, after a lapse of 6 months, suspended by you and your personnel, partially as a result of the work of the McCarthy committee; is that not correct?

Secretary Stevens. Yes, sir.

Mr. Jenkins. May I ask you at this point, who is responsible for the reinstatement of those men?

Secretary Stevens. I don't know that I can give that information

under the Presidential directives.

Mr. Jenkins. If it violates a directive, or confidential information,

I withdraw the question. Is that your answer?

Secretary Stevens. Yes, sir; until I have had a chance to look it up. And if it doesn't violate it, I would certainly like to put it in, sir.

Mr. Jenkins. Now, Mr. Stevens, you understood all along that one of the consultants of this very committee whose work we have been talking about was one G. David Schine?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You understood that, did you not?

Secretary Stevens. Yes, sir.
Mr. Jenkins. Did you understand that he was somewhat of an authority on communism, and had written at least a pamphlet on that subject?

Secretary Stevens. I think that I knew that he had written a

pamphlet; yes.

Mr. Jenkins. Did you ever ask him to mail to you that pamphlet? Secretary Stevens. I don't recall having done so. I might have; I don't recall having done so, Mr. Jenkins.

Mr. Jenkins. I hand you a letter, if we can find it. [Laughter.] Senator Mundr. The Army has had similar difficulties, I might add,

about finding letters.

Mr. Jenkins. I withdraw the question. I am sorry.

I hand you a letter dated September 21, 1953, rather, a copy of a letter reading as follows:

Hon. J. P. STEVENS,

Secretary of the Army,

Washington, D. C.

My Dear Mr. Stevens: As I promised, I am sending to you a copy of the Definition of Communism which I hope you will find interesting. It was certainly a pleasure to see you the other morning, and I hope to see you again in the near future.

With very best wishes, I am Cordially yours,

G. DAVID SCHINE,

Chief Consultant, Senate Investigating Subcommittee.

Will you please examine that, Mr. St. Clair, and hand it to the

Secretary.

Then tell the committee whether or not you received the original of that letter, together with a pamphlet entitled, "Definition of Communism," by G. David Schine, which I likewise now hand you for your inspection.

Secretary Stevens. Yes, I think I recall this now, Mr. Jenkins. I am not J. P. Stevens, to whom this letter is addressed——

Mr. Jenkins. But you did receive that?

Secretary STEVENS. I assume that I must have received the letter, because I now recall having seen a copy of this pamphlet. I also recall that I attended a meeting of this committee in executive session on September 21, 1953, and no doubt Dave Schine must have spoken about this thing at that time.

Mr. Jenkins. Did you know, therefore, that David Schine was a consultant member of Senator McCarthy's investigating committee?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You knew prior to his induction in the service, which was on November 3, as we understand it—

Secretary Stevens. That is right.

Mr. Jenkins. That he was actively engaged with Senator McCarthy and his staff in the investigation of Fort Monmouth? You knew that, didn't you?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Mr. Stevens, the first knowledge that you had that the Army, of which you were the Secretary, was about to be investigated by Senator McCarthy, was when you were on the weekend of Labor Day in the State of Montana; is that correct?

Secretary Stevens. It was, sir.

Mr. Jenkins. You do not know, of course, when the Senator and his staff made their plans for the investigation of the First Army area, do you?

Secretary Stevens. No, Mr. Jenkins.

Mr. Jenkins. You read of the proposal of the Senator, to make this investigation, in a newspaper in a drugstore in a town in Montana? Secretary Stevens. Yes, sir; that was with reference to the three original cases in New York City.

Mr. Jenkins. In the Army? Secretary Stevens. Yes, sir.

Mr. Jenkins. Their names were given?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You immediately went to the railroad station and sent the Senator a telegram, did you not?

Secretary Stevens. I did.

Mr. Jenkins. Up to that time, you had never contacted him, had you?

Secretary Stevens. No, sir.

Mr. Jenkins. You had never been to Fort Monmouth yourself? Secretary Stevens. Yes, sir. I went on October 20.

Mr. Jenkins. But I say up to that time—

Secretary Stevens. Correct.

Mr. Jenkins. That is, the early part of September, you had never been to Fort Monmouth, had you?

Secretary Stevens. No, sir; I had not.

Mr. Jenkins. Up to that time you had never directed your investigating agency specifically to pinpoint Fort Monmouth and investigate it, had you?

Secretary Stevens. Yes; I had. Mr. Jenkins. You had done so? Secretary Stevens. Yes, sir. Mr. Jenkins. Was that a general order to investigate all of the

Army posts, or particularly Fort Monmouth?

Secretary Stevens. Well, as I told you, sir, we had extremely close contact with the FBI in regard to Fort Monmouth, and that was a little bit different from the usual run of directives that might go out.

Mr. Jenkins. Asking my question again, had you at that time specifically called in your investigating agency and said: "Go to Fort Monmouth and see what is going on up there?" Had you done that?

Secretary Stevens. I hadn't personally called them in and told

them to go to Fort Monmouth, that is right.

Mr. Jenkins. It was a general order to investigate everything and everybody connected with the Army, as we understand it, is that cor-

Secretary Stevens. No, sir; that is not correct.

Mr. Jenkins. Very well.

Secretary Stevens. That is not correct, on account of the reference that I made, and I hope I don't have to belabor this point because I just don't like to; but as I say, we had very close relationship with the FBI in regard to this particular matter.

Mr. Jenkins. But you had no relationship at that time with Sena-

tor McCarthy and the McCarthy committee, did you?

Secretary Stevens. No.

Mr. Jenkins. So did you cut your trip short to come back?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You contacted Senator McCarthy?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Upon coming back, is that right, Mr. Secretary?

Secretary Stevens. Immediately.

Mr. Jenkins. Now, Mr. Stevens, the truth of the matter is that on that first meeting with Senator McCarthy you sought in every honorable way, I will say, possible to get him to desist and to let you carry on that work, did you not?

Secretary Stevens. In the first meeting with Senator McCarthy?

Mr. Jenkins. Yes, sir. Secretary Stevens. No, sir. Mr. Jenkins. You did not? Secretary Stevens. No. sir.

Mr. Jenkins. You say you never did at any time? Secretary Stevens. Get him to cease and desist?

Mr. Jenkins. Yes, sir.

Secretary Stevens. No, sir.

Mr. Jenkins. Mr. Stevens, let me ask you this question. I know you are human. Irrespective of what efforts you made or didn't make, you would rather he had not undertaken this investigation of Fort Monmouth and have left it up to you, had you not?

Secretary Stevens. No, sir, I would not say that.

Mr. Jenkins. Well, would you deny it?

Secretary Stevens. What do you mean, would I deny it?
Mr. Jenkins. You say you won't say it. I am asking you if you will deny it.

Secretary Stevens. No, because I say——

Mr. Jenkins. You don't deny it?
Secretary Stevens. No. sir, I say——

Mr. Jenkins. You know what the question is. You would rather

he had not initiated the investigation and left it up to you.

Secretary Stevens. No, sir. I am perfectly agreeable to working with Senator McCarthy's committee or any other committee of the Congress on any subject that affects the Department of the Army. I consider it not only a duty but a privilege to work with these committees.

I approached my whole relationship with the Congress on that

basis

May I make one minor correction, Mr. Jenkins, because I think that inadvertently—this has just come into my mind—that I made a slight mistake in response to one of your questions. That is when you asked me if I cut my trip short in Montana. I think you asked me that.

Mr. Jenkins. Yes, I did.

Secretary Stevens. I think I said yes as we were going along. I didn't. I had planned to leave there on Labor Day and fly back, and I did that. I think I indicated in my wire to Senator McCarthy that I was returning by the following morning. That is a minor thing, but I don't want to have it on the record incorrectly.

Mr. Jenkins. Mr. Stevens, on numerous occasions in your direct examination you have told of initiating visits with the Senator and his

staff and of calls with the Senator and his staff; have you not?

Secretary Stevens. That is right.

Mr. Jenkins. You have told of initiating visits to New York City; is that right?

Secretary Stevens. Yes, sir.

Mr. Jenkins. I believe—when did you first hear that there was a person in this world named G. David Schine?

Secretary Stevens. I believe that was on the 8th of September, Mr.

Jenkins.

Mr. Jenkins. Is that the time that you had coffee at the breakfast table in the Schine apartment; that is, the apartment of his father and mother?

Secretary Steven. No, sir; this was when I returned from the West

and first visited Senator McCarthy on the 8th of September.

Mr. Jenkins. When was it that you had breakfast or coffee in the Schine apartment in New York City?

Secretary Stevens. That was the 16th of September.

Mr. Jenkins. You knew then who David Schine was, did you not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You knew that he was on the McCarthy committee and that he was subject to be drafted? That is right, is it not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And you knew that he was the son of a multimillionaire?

Secretary Stevens. No, sir; I would not say I knew that.

Mr. Jenkins. The son of very wealthy parents?

Secretary Stevens. Well, I do not think that I had any knowledge of the financial position of the Schine family other than walking into the apartment that morning and seeing that it was a very nice place.

Mr. Jenkins. You knew then that he was a controversial figure, did you not, Mr. Sceretary, and had been talked about on the radio and written up in newspaper columns, particularly with reference to his draft status?

Secretary Stevens. I know there had been considerable discussion about that.

Mr. Jenkins. And you went with Senator McCarthy, or at the invation of the Senator, to the very home where this boy lived on September 16, did you not?

Secretary STEVENS. That is right.

Mr. Jenkins. Did you not feel like such a visit might compromise you or cause some criticism?

Secretary Stevens. No, sir; I did not. I felt-

Mr. Jenkins. Very well. Excuse me. Go ahead, Mr. Secretary.

Secretary Stevens. I was going to say that I was in New York at that time. The first contact with Senator McCarthy was on the 8th of September, and I was anxious to follow it up and do all I could to expedite whatever actions might be necessary. I thought while I was in New York I would like to see the Senator, and so I contacted him and he suggested that place of meeting. I would have met him anywhere; it did not make any difference to me.

Mr. Jenkins. Mr. Secretary, did you ever at any other time become

a guest in the Schine home in New York City?

Secretary Stevens. Not in the home, sir. I referred Friday to the dinner that I attended in the Waldorf; it was not in their apartment.

Mr. Jenkins. Given by David's father and mother?

Secretary Stevens. That is right. Mr. Jenkins. Attended by Mr. Cohn?

Secretary Stevens. I understood they gave it.

Mr. Jenkins. By Senator McCarthy and Mr. Cohn and Mr. Cohn's father, a jurist in New York City, and attended by all of those parties and others, I believe you say.

Secretary Stevens. That is right.

Mr. Jenkins. Including a Mr. and Mrs. Berlin?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Will you identify them?

Secretary Stevens. Mr. Berlin, I believe, is president of the Hearst publications in New York.

Mr. Jenkins. Had pressure been brought to bear upon you at that time on behalf of Schine; that is, at this dinner party given in New York?

Secretary Stevens. Had pressure been brought to bear on me?

Mr. Jenkins. Yes.

Secretary Stevens. Well, the question had been up of a commission and various things which I have detailed in the course of my testimony, Mr. Jenkins; yes.

Mr. Jenkins. And you found out that calls had been coming in for David Schine since mid-July, did you not, and you knew it at the

Secretary Stevens. Yes, sir.

Mr. Jenkins. And you went for the second time and became a guest of this boy's father and mother?

Secretary Stevens. Well, Mr. Jenkins, I was in New York.

Mr. Jenkins. I don't say that there is anything wrong; it is up

to the committee to decide that.

Secretary Stevens. May I give you just a little bit of background on that; that is, that I went to New York on my own initiative, with the invitation of the Senator, to attend the Fort Monmouth hearings on the 13th and 14th of October. I invited Senator McCarthy and his staff to luncheon with me on both of those days. At some time during the course of October 13, Senator McCarthy invited me to come to dinner that night. Now, I think he had lunch with me and I had dinner with him. I paid no particular attention, frankly, as to where I was going or what we were going to do.

Mr. Jenkins. Was it the next morning that David Schine drove you

somewhere in his automobile?

Secretary Stevens. It was; the morning of October 14.

Mr. Jenkins. October 14? Secretary Stevens. Yes.

Mr. Jenkins. Are you sure about that date?

Secretary Stevens. Yes, sir. Mr. Jenkins. October 14? Secretary Stevens. Yes, sir.

Mr. Jenkins. Where did he drive you?

Secretary Stevens. He drove me from the corner of 32d Street and Park Avenue down to the courthouse in lower Manhattan.

Mr. Jenkins. And there was a discussion between you and him then with respect to his Army status, was there not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And I believe you said you knew discussions had been carried on since mid-July.

Secretary Stevens. That is right.

Mr. Jenkins. Or for a period of some 2 or 3 months?

Secretary Stevens. That is right. Mr. Jenkins. Is that correct? Secretary Stevens. Yes, sir.

Mr. Jenkins. And you knew that he was, in all likelihood, a future

draftee?

Secretary Stevens. Yes, sir. Well, I thought he was going to be, but I did not know, of course. It was up to Selective Service entirely. Mr. Jenkins. Mr. Stevens, did you ever have your photograph taken with G. David Schine?

Secretary Stevens. Well, there were a lot of photographers around

down there at that hearing, and it could be.

Mr. Jenkins. But did you ever at your suggestion at a meeting anywhere, any time, say that "I want my picture taken with David" and have it done?

Secretary Stevens. I am sure that I never made a statement just like you made it there. I mean, if there was a picture being taken and there were people around, I might be very apt to say, "Well, let us all step in here and have a picture," but I do not think that I ever made any demand to have my picture taken with David Schine.

Mr. Jenkins. I did not say "demand," but was your picture, after David Schine was drafted, ever taken with you alone at your sug-

gestion, anywhere?

Secretary Stevens. After he was drafted?

Mr. Jenkins. Yes.

Let me show you a picture, Mr. Stevens, for the purpose of refreshing your recollection. I ask you whether or not that is a photograph of you, the Secretary of the Army, and David Schine, a private in the Army.

Secretary Stevens. I unfortunately can recognize myself, but I

could not guarantee the soldier.

Mr. Jenkins. My question is, Is that a photograph of you, the Secretary of the Army, and G. David Schine, a private in the Army? Secretary Stevens. That is me; that is certainly me, and I

assume-

Mr. Jenkins. What do you say about the soldier boy?

Secretary Stevens. I do not know whether that is Schine or not. Mr. Jenkins. Well, Mr. Stevens, you know Schine, do you not? Secretary Stevens. Yes.

Mr. Jenkins. You know him well?

Secretary Stevens. That picture does not look very much like him. Mr. Jenkins. You have had meetings with him and have been in his home and have been in automobiles with him. What is your best impression about whether or not that was David Schine?

Secretary Stevens. I think it probably is. Mr. Jenkins. You think it probably is?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Do you remember when and where it was made?

Secretary Stevens. This was made at the Maguire Air Force Base. Senator Mundt. The photographers will abide by the rule to take their pictures from a kneeling or sitting position. It is difficult for other people to see what is going on.

Senator Jackson. I could not get the answer to that question. Senator Mund. I will have to ask the photographers to abide by the rule, and that is pretty clear.

Senator Jackson could not get the answer to the question. Senator Jackson. I heard something about Maguire field.

Senator Mundr. The question was, Where was the picture taken? I think the Secretary has not answered.

Will you repeat the question, Mr. Counsel, and let the Secretary

answer it all over again?

Mr. Jenkins. The question was, What was your best impression as to where the picture was taken?

What about that, Mr. Secretary?

Secretary Stevens. I am sorry, sir, I hate——
Mr. Jenkins. What is your best impression about that picture,

where and when was it taken?

Secretary Stevens. My best impression of this picture is that it was taken, the title says, and I imagine that is correct, at Maguire Air Force Base, which I referred to earlier this morning, as having been the airport adjoining Fort Dix, where I stopped, and after the meeting in New York, on November 17, which I gave you the detail on this morning. And I would say that this is a picture of, undoubtedly, David Schine, and a rather grim looking picture of the Secretary of the Army.

Mr. Jenkins. After the meeting in New York, of November 17; is

that right?

Secretary Stevens. May I hasten to say to you, sir, that I have many, many times had my picture taken with privates of the United States Army, and I hope that I may have that privilege for a long time

Mr. Jenkins. How many would you say?

Secretary Stevens. Well, if you took them by groups, like over there in Korea, it would run into the thousands.

Mr. Jenkins. Well, there are about 1½ million of them altogether,

are there not?

What had occurred on that meeting of November 17, in New York,

Secretary Stevens. That was the meeting where I went up to see Senator McCarthy to see if we could get together on the news conference that I had held in Washington on the 13th.

Mr. Jenkins. You went up to make peace with Senator McCarthy,

didn't you, to stop this investigation?

Secretary Stevens. No, sir, I didn't go up there to stop the investigation.

Mr. Jenkins. It wasn't designed for that at all.

Now getting back to Schine now, Mr. Stevens, isn't it a fact that you were being especially nice and considerate and tender of this boy, Schine-wait, wait, wait, wait-in order to dissuade the Senator from continuing his investigation of one of your departments? Secretary Stevens. Positively and completely not.

Mr. Jenkins. The treatment you accorded Schine then was just what you accorded every other private in the Army?

Secretary Stevens. I certainly would treat privates in the Army,

one and all of them, the same.

Mr. Jenkins. Now, why did you, the Secretary of the Army, having released a statement in which you said that there was no current espionage at Monmouth, why did you, when you found out from Cohn that the Senator was displeased, take it on yourself, in your high position, and having made that statement no doubt with the advice and consent of those around you, including your superiors, to go traipsing off to New York City, hunting up this man, to change your statement and make peace with him, and why then if you weren't afraid of him-

Secretary Stevens. I did it because I wanted to continue my policy, which is a complete one, of cooperation with the Congress of the

Mr. Jenkins. Well, you did go up there, and you did make concessions in that statement, you gave it out worded differently, didn't

Secretary Stevens. As I said, I don't think there was any change

in substance, and I didn't so regard it.

Mr. Jenkins. Well, it seemed to pacify the Senator. Secretary Stevens. He will have to speak for that, sir.

Mr. Jenkins. Very well. Mr. Secretary, I call your attention—Secretary Stevens. I beg your pardon. I didn't catch that. Did you ask me a question?

Mr. Jenkins. I am about to.

Now, you have denied, emphatically, that, as I understand it, that you even wanted the Senator to discontinue his investigation of Fort

Monmouth, is that right?

Secretary Stevens. Mr. Jenkins, may I take this opportunity, please, to make a little statement on this subject? I testified last Friday at length with respect to the luncheon meeting of November 6, in my office, where the subject of the Fort Monmouth inquiry was discussed at length. I also indicated-

Mr. Jenkins. I don't think it is responsive to the question. And I object to it.

Senator Mundr. Will you ask the question and see if we can get

the Secretary to respond?

Mr. Jenkins. I will ask you whether or not this is a part of the testimony you have given in this case on Friday of last week. It is with reference to my question: Did you want him to lay off of you or Fort Monmouth or quit his investigating there. And you denied it.

And I will ask you if you stated this:

Well, we left here by plane and flew to, I think it was, Eatontown, N. J. There was a fair amount of discussion, of course, about the Fort Monmouth discussion on the plane going down. I had gained the impression on the previous meeting, which was the 14th of October, in New York, that Senator McCarthy was approaching the point where he felt that he would turn the prosecution, if you will, of the investigation over to the Army. I think this was discussed some on

So you did talk to him, I gather from that, about turning the investigation of Fort Monmouth over to the Army, is that correct or

Secretary Stevens. Certainly. But I still think that I am entitled

to make a statement I was going to make.

Mr. Jenkins. I certainly think so, too, and there is no disposition to deny you that privilege.

Secretary Stevens. May I go ahead with that?

Mr. Jenkins. Certainly.

Senator Mundt. Proceed, Mr. Secretary.

Secretary STEVENS. The point I was going to make is this: that at the November 6 luncheon where the Fort Monmouth thing was discussed, I said I didn't like this constant hammering in the headlines of the Army, because I thought it gave a picture to the public of considerable espionage or spying at Fort Monmouth which was not in accordance with the facts. That is what I objected to. I therefore wanted to handle this job myself, but I specifically said, and I think you will find it in my testimony, that I wanted to make progress reports to Senator McCarthy and that if we weren't doing the job right, I assumed that he would come right back into the picture.

So at no time did I want him to cease and desist unless we were capable of doing the job ourselves, in which case there was no necessity

for it, provided I kept him informed as to what was going on.

Mr. Jenkins. All right, it was your idea—and I believe you just reiterated your position—that the time had then come for the Senator to let the Army take over on condition that you render to him from time to time progress reports, and if you weren't doing a masterful job of it, then he would step back in. Is that correct?

Secretary Stevens. That is about the way-

Mr. Jenkins. That is about the way it was. Then, Senator—Mr. Stevens-

Senator Mundt. We all get confused. We have so many generals and Senators and Secretaries.

Mr. Jenkins. I don't know to whom to apologize.

Senator Mundt. I am sure the recorder will record it properly. Let

there be no apology. Just proceed.

Mr. Jenkins. Then what you are saying is that you didn't ask the Senator to stop his investigation of Fort Monmouth, but merely to suspend it and give you a chance to carry on, and then if you failed, to take over again; is that correct?

Secretary Stevens. That is correct.

Mr. Jenkins. That is correct. So insofar as his charge against you that you tried to stop the investigation of Fort Monmouth is concerned, that is not correct. You merely tried to get it suspended?

Secretary Stevens. That is right.

Mr. Jenkins That is right. I think that you wanted as long a

suspension as possible, didn't you?

Secretary STEVENS. Well, I suppose that I probably did. On the other hand, if we didn't do the job and do it properly, I wouldn't want a long suspension. The stakes here were too big. The security of the country was involved. I wanted all the help I could get on doing the job.

Mr. Jenkins. Let me ask you this, Mr. Stevens: Is it not a fact that a suspension is in effect a stoppage just as the Senator has

charged?

Secretary Stevens. No, I wouldn't think so.

Mr. Jenkins. You wouldn't think so; you wouldn't so consider it? Secretary Stevens. I think the staff work would go right along, and presumably they would be in constant touch with them. They would give us additional information as it was available. No, I wouldn't say that.

Mr. Jenkins. Do you belong to a social club in New York City

called the Merchants Club?

Secretary Stevens. Yes, sir.

Mr. Jenkins. I will ask you whether or not at the very inception of this matter you, as a member, made arrangements at the Merchants Club for the McCarthy committee to be entertained there, to get their meals there from time to time without any limitation, and that in

the end the sum total of the bill was to be sent to you?

Secretary Stevens. I said that I would like to have them use the club, which was near the courthouse, during that week that hearings were being held, which I think was the week of the 12th to the 16th of November; including the 13th and 14th when I was there. I wanted those facilities to be available to the Senator and his staff if they wanted to use them.

Mr. Jenkins. Then your answer to my question is "Yes."

Secretary Stevens. Yes.

Mr. Jenkins. That he, investigating you or the Army, and his staff were to eat at your expense, without let, without hindrance, with no limitation.

Did you think, Mr. Secretary, that it was within the bounds of

propriety for you to do that?

Secretary Stevens. Completely. Mr. Jenkins. Completely? Secretary Stevens. Yes, sir.

Mr. Jenkins. That was not done for the purpose of mollifying or pacifying him or anything?

Senator Symington. I didn't hear the question. Will you repeat

it, counsel?

Mr. Jenkins. I said the arrangements to have the Senator and his staff be his guests at his expense, eating and so forth, was not done for

the purpose of mollifying or pacifying the Senator to get him to suspend his investigation of Fort Monmouth.

Senator Symington. Thank you.

Mr. Jenkins. What do you say about that?

Secretary Stevens. I say it certainly was not done for that purpose, Mr. Jenkins.

Mr. Jenkins. What purpose was it done for?

Secretary Stevens. A friendly matter of convenience, when you get right down to it.

Mr. Jenkins. Well, Mr. Stevens, there was quite a scene at Fort

Dix on October 20, was there not?

Secretary Stevens. You mean Fort Monmouth.

Senator McCarthy. I would like to request counsel, if he would, for fear the wrong impression may have been created, to ask the Secretary whether or not we ever accepted the invitation, whether we actually ate at the Merchants Club-

Mr. Jenkins. Did they or did they not avail themselves of that

privilege?

Secretary Stevens. Yes; they did. Mr. Jenkins. They did? All right.

Senator McCarthy. Mr. Chairman, I would like-

Senator Mundt. This has to be a point of order, the Chair insists. Counsel has requested that he not be interrupted in his interrogatories except for a point of order.

Senator Jackson. A point of order, Mr. Chairman.

Senator Mundt. I will recognize Senator McCarthy if he has a

Senator McCarthy. I have, Mr. Chairman. I would like——Senator Mundr. What is the point of order? Will you state it first? Senator McCarthy. I am not sure if you and I have the same impression of what a point of order is.

Senator Mundt. May I say that the Chair's impression is that a point of order has to go to the relevancy and the materiality of

questions.

Senator McCarthy. Let the Chair decide whether this is a correct point of order. I would like very much that Mr. Jenkins question the Secretary as to whether or not we ever availed ourselves of that invitation when Mr. Stevens-

Senator Mundt. May the Chair say he would not construe that to be a point of order but it would be a perfectly proper question for Senator McCarthy to ask Mr. Stevens when he is cross-examining him.

Senator McCarthy. Mr. Chairman, could I finish my request that counsel go into that matter because I think otherwise there will be the impression created that the Chair and the staff were eating at Mr. Stevens' expense when he was not present. We were his guests on several occasions. He was our guest on several occasions. I think that should be cleared up.

Senator Mund. That would not come under the heading of a point of order as far as the chairman is concerned. It is a proper question for Senator McCarthy to ask; it is a proper question for anybody to ask. But the rules of procedure are that there be interruptions only

for points of order.

Senator Jackson, have you a point of order?

Senator Jackson. I have this point of order. I would like, and I think it is important, that a clarification be made as to the rules that apply to all of us up here at the head table. Do I understand—

Senator Symington. Can we fix the microphones so that the ques-

tions are asked and understood?

Senator Jackson. Do I understand, Mr. Chairman, that I can make a point of order and request that a question be asked by counsel?

Senator Mund. The Chair has just ruled on that to say that a point of order can be asked only dealing with questions of materiality or relevancy. So I would think not, on whether you could challenge any question being asked on that basis.

Senator Jackson. I think these rules should be strictly enforced. Senator Mundt. The Chair has ruled on the point of order in conformity with Senator Jackson's position. Counsel may proceed.

Mr. Jenkins. Now, Mr. Stevens, you have told about the events of October 20 when you say there was an explosion on the part of Roy Cohn; is that correct?

Šecretary Stevens. Yes, sir.

Mr. Jenkins. That was at Fort Monmouth? Secretary Stevens. Fort Monmouth; yes, sir.

Mr. Jenkins. When he was not admitted to the holy of holies, so to speak?

Secretary Stevens. That is right.

Mr. Jenkins. And you were told the substance of the statements made by Mr. Cohn on that occasion, were you not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Why, Mr. Stevens, did you see fit, considering your high office, to publicly there and in the presence of all who were convened, offer an apology for what you had considered a proper and correct act on your part?

Secretary Stevens. Well, first of all, it wasn't public.

Mr. Jenkins. It was in the presence of all those assembled there, was it not?

Secretary Stevens. It was.

Mr. Jenkins. That is what my question embraces.

Secretary Stevens. Yes; but it was not a public statement.

Mr. Jenkins. Why did you do that?

Secretary Stevens. And also, the question came up about it the other day, about whether or not that was an apology, and I said I would like to think that over; that first I said it was, but I wasn't sure that was exactly the right word.

Mr. Jenkins. May I read your testimony. It is brief, and the

committee will decide whether it is an apology or not.

Well, I said it was too bad there wasn't time available at the door of the laboratory to make all of the necessary inquiries about who was cleared for what, and therefore I made that on-the-spot decision, and I certainly did not intend to offend anybody by it, but I did the best I could and I did not intend it as any offense to Mr. Cohn or anyone else.

Mr. Jenkins. Was that in the nature of an apology, Mr. Secretary?

Secretary Stevens. I would say that it was.

Secretary Stevens. Will you read on, sir?

Mr. Jenkins (reading):

Very well, you may proceed. Secretary Stevens. I would say it was in the nature of an apology.

Now, if I am not reading correctly, I invite your counsel to come up here and check it.

I don't know, sir. I am trying to rethink that one over as to whether "apology" is the right word. I think that I had not done anything that was wrong on the one hand, and I felt it in my heart I had done what was right, and I tried to protect the interests of the United States.

Now, that is it in full.

Now, Mr. Secretary, the question is this: Why did you, in your exalted position as head of the Army, so to speak, there on that occasion, after you had done what you said was right and proper, in the presence of all those assembled humble yourself, so to speak, or kowtow to this young man, and make that statement, whether it could be construed as an apology or not, if it wasn't designed, if it wasn't a part of a pattern on your part to at all times keep the good will of the McCarthy committee so that they would lay off of you

and Fort Monmouth? What is your explanation of that?

Secretary Stevens. My explanation is that it was part of my desire to work with the committees of Congress. I had no thought, in trying to smooth over the feelings of Mr. Cohn, that I was in any way attempting to stop the investigation. I think from the latter part of the language you read from my previous testimony, that that word "apology" hit me pretty fast, and as I look back on it, Mr. Jenkins, I am not sure I know exactly what the right word to use on the darned thing is. I think it was—I know it was an effort on my part to smooth over a situation which had gotten a little bit out of hand as far as Mr. Cohn was concerned, and I guess we have all been faced with situations like that, where we tried to make some appropriate remark that would make the fellow who feels he was offended feel a little bit better about it, and that is what I attempted to do. The word that applies to it, I leave to you, sir, in those circumstances.

Mr. Jenkins. Did you know a lieutenant named Corr?

Secretary Stevens. I met him, and I don't know him.

Mr. Jenkins. Have you learned that when that alleged explosion took place, and I wasn't there, and I don't know what was said, that a lieutenant in the Army named Corr went to a high-ranking officer there, and said, "Why do we have to take such insults from Mr. Cohn; why do we have to cater to him?" and have you learned that young man said that?

Secretary Stevens. I heard that.

Mr. Jenkins. Have you promoted him?

Senator McClellan. Let us get his answer, and I don't know what he said.

Senator Mundt. To the last question.

Secretary Stevens. As far as I know he has not been promoted. Senator Symington. Can we identify whom we are talking about? Secretary Stevens. He is the aide to General Lawton, the commanding general.

Senator Symington. Apparently the Democratic microphones

aren't working; they are getting a little better now.

Mr. Jenkins. Now, Mr. Secretary, we have discussed the question of whether or not you sought to discredit the McCarthy committee, and the other charge is that you sought improperly to stop its investigation of Fort Monmouth.

I read you now an excerpt from your testimony given last Friday, and I ask you to state whether or not it is correct, to wit:

Now, at the luncheon, I discussed with them the Fort Monmouth investigation, and I told them that I felt that it had served its purpose.

What does that mean if it doesn't mean that you told them that it

was at an end or should be suspended?

Secretary Stevens. By that I meant, Mr. Jenkins, that it served the purpose of certainly bringing this thing to the forceful attention of the Department of the Army, and the Secretary, and all of us. That is what I meant by "served its purpose," as I think you will find there.

Mr. Jenkins. Now let me read on and see if that is what it means.

That we were on top of everything that they had given us, and we were following up, and we had had information on every name that had been turned up anyway, and that I wanted to have the Army carry out, and if you will, subject of this committee, in the sense that I said I would render progress reports as to how we were doing.

That, in substance, is what you said, and—

Secretary Stevens. Yes, sir.

Mr. Jenkins. And I repeat, wasn't that a request for a suspension

by the Senator of his activities?

Secretary Stevens. Well, as I have explained before, sir, I didn't like this hammering of the Army over the head, and that is the thing that was bothering me, and it wasn't the investigation itself. I wanted the Army to handle this, and try to get the situation back into reasonable perspective insofar as the public was concerned.

In addition, we had a morale problem.

Mr. Jenkins. All right, do you recall that their charges, some mention is made about you appealing to the Senator personally on the idea that you would be driven from your job if he didn't quit and let you alone and discontinue his investigation?

Secretary Stevens. I testified on Friday that if this thing was pursued and the erroneous impression was getting out to the public, if that was continued, that it could well result in driving me from office.

Senator McCarthy said that that isn't what he wanted.

Mr. Jenkins. Do you remember the specifications in his charge that you at the Pentagon in your office told the McCarthy committee that if they did not lay off of you and discontinue these investigations that you had been in office only 10 months and it would result in your dismissal from office? Was such a charge made by them?

Secretary Stevens. That language, Mr. Jenkins, I do not accept

at all.

Mr. Jenkins. But that is the charge made in substance in the writing, in the specification?

Secretary Stevens. And I do not accept it at all.

Mr. Jenkins. I understand that. Now let us see how close, Mr. Secretary, you come to having made that statement. I repeat your testimony of last Friday. This is Secretary Stevens:

It isn't cut off, Mr. Jenkins, but I think this is important, that in respect to the matter that I mentioned before, namely, the hammering over the head of the Army persistently, creating the impression that there was espionage in a big way at Fort Monmouth which I say was not so, that I told Senator McCarthy and his associates that I had been in office for 10 months, and I had some

responsibilities that I had assumed, and that if they kept on with these headlines which in my opinion were utterly unfair, that they could drive me out of office if they wanted to.

You did say that, Mr. Secretary?

Secretary Stevens. Yes, sir; I certainly did, and I stand on it.

Mr. Jenkins. Wasn't that, Mr. Stevens, a personal appeal to a United States Senator and the members of his staff to at least suspend, which I believe you have already admitted you asked them to do? Wasn't this an additional appeal to quit or suspend so that you could continue your tenure of office beyond that 10-month period?

Secretary Stevens. I wasn't thinking a thing about my tenure of

office, Mr. Jenkins. I didn't ask for this position.

Mr. Jenkins. I understand that, but why did you mention it? You

said you had been in office only 10 months.

Secretary Stevens. I wanted to have the Department of the Army and the United States Army treated fairly, and I felt it was not being treated fairly.

Mr. Jenkins. Was this investigation of Fort Monmouth an unfair

treatment of the Army, considering the results obtained?

Secretary Stevens. The results so far as the publicity was concerned were extremely unfair.

Mr. Jenkins. But as far as the results obtained outside of the pub-

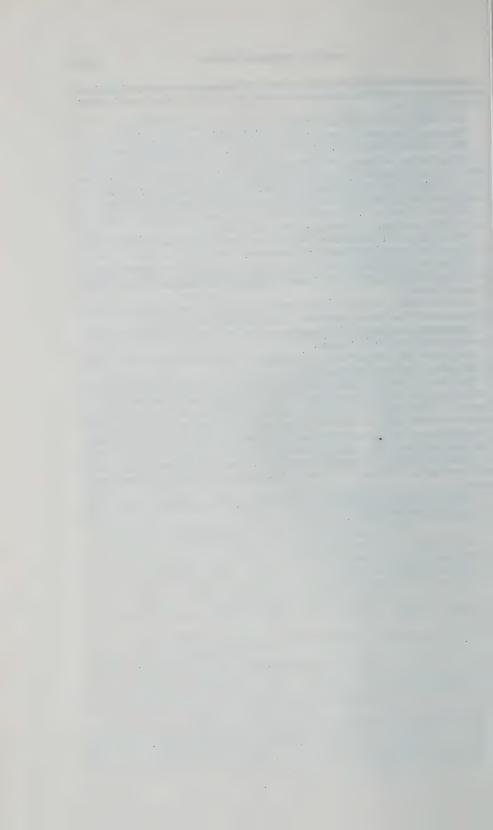
licity, was it unfair to the Army?

Secretary Stevens. Oh, no; it was not unfair to the Army to speed up the suspension by a certain length of time of a certain number of cases. That was perfectly O. K. But it was not fair to the Army, and it was not fair to the American people, to create in the minds of the public and of the services the idea that there was a lot of current espionage going on at Fort Monmouth when such was not the case.

Senator Munder. Counsel advises he wants to start on another line of questioning. It is 12:30, so we will suspend until 2:30 this after-

noon.

(Whereupon, at 12:30 p. m., the hearing was recessed until 2:30 p. m. of the same day.)



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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 189

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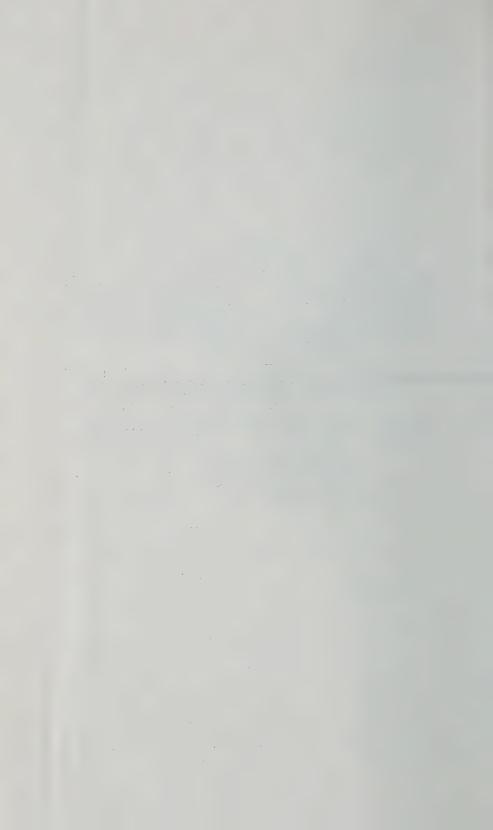
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MONDAY, APRIL 26, 1954

UNITED STATES SENATE,
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

AFTER RECESS

(The hearing was resumed at 2:40 p.m.)

Present: Senator Karl E Mundt, Republican, South Dakota, chairman; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee. Thomas R. Prewitt, assistant counsel. Ruth Y. Watt, chief clerk.

Also present: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; and Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator Mundt. We will proceed.

Mr. Welch. I want to say a word of thanks to you, sir; and I spoke of your great power a day or two ago, and on that occasion I had no microphone and now I have not one and not two but three.

Senator MUNDT. That is good.

Before the questioning resumes the Chair would like to make a statement on behalf of the committee. When I returned to the office this noon, I found that we have had a great deluge of telegrams from across the country accusing the committee of stopping some of the live TV broadcasts, and they are complaining because the broadcasts that they were receiving on Thursday and Friday are no longer available.

The Chair simply wants to restate the policy of the committee concerning television and radio. We stated that the hearings would be open for television cameras and for radio reporting provided it was

done without revenue to the broadcasting companies in the nature of

sponsored advertising.

We have no control, nor do we desire to exercise any, over which networks carry the programs and which do not. Certainly the television cameras are no convenience to the witnesses, I am sure, and no convenience to the committee members. But we labor in this highly illuminated atmosphere solely in the interest of giving the public the full set of facts on television, on radio, if the networks desire to provide them as a public service.

Neither does the committee assume any responsibility for any broadcasts which are screened or cut or replayed which do not cover the entire proceedings of the hearings. Any complaints that the public has to make concerning prejudice or bias for partial and fragmentary reports should be directed to the broadcast companies and not to

the committee.

Mr. Jenkins may proceed with the questioning.

TESTIMONY OF ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Mr. Jenkins. Mr. Chairman, before proceeding with further cross-examination of Mr. Stevens, I think it proper at this time to state for the purposes of identification that the gentleman sitting on the immediate left of Mr. Struve Hensel who has now been declared a party in interest to this controversy is his personal attorney, Mr. Frederick Bryan, of New York City.

Mr. Stevens, as I recall, the last question I asked you prior to adjournment for the lunch hour was whether or not in your opinion this investigation of Fort Monmouth was unfair to the Army considering the results obtained. A transcript of the record discloses that

your answer was as follows:

The results insofar as the publicity was concerned were extremely unfair.

Do you recall giving that as your answer to that question?

Secretary Stevens. Yes, sir.

Mr. Jenkins. I will ask you this, Mr. Stevens: Do you not think that it was a salutary thing for the American public to know that there was an active agency such as the McCarthy committee investigating alleged infiltration of Communists in the Army and other departments of the Government?

Secretary Stevens. Yes, sir; I think it was a good thing.

Mr. Jenkins. A good thing for the public and a bad thing for the

Army?

Secretary Stevens. A good thing for the public to know, sir; and, as I said before, I completely favor working with these committees in investigations, and the only thing that I objected to was the manner in which the hearings were held and the publicity was generated.

Mr. Jenkins. Now, Mr. Stevens, on or about the 10th day of March of this year, you released a document called A Series of Events, and which was published in the newspapers, as I recall, on March 11; is

that correct?

Secretary Stevens. When you say "released," sir, we sent them to the members of this committee and to the Members of the Congress who had asked for it, and we did not make it public.

Mr. Jenkins. It was made public, however, on the 11th day of March, was it?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And the countercharges or certain memoranda of the McCarthy committee were released the following day?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And I believe that this series of events which you sent to certain members of this committee contained how many different events? Anyway, it was embodied in approximately 34 pages; is that correct?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And it was published in the newspapers?

Secretary Stevens. It was published.

Mr. Jenkins. When did you begin the preparation of that, Mr. Stevens, of that document, consisting of 34 pages?

Secretary Stevens. Well, I didn't prepare it. Mr. Jenkins. May I ask who did prepare it?

Secretary Stevens. It was prepared in the office of or under the General Counsel of the Department of Defense.

Mr. Jenkins. What is his name?

Secretary Stevens. His name is Mr. Hensel. Mr. Jenkins. Mr. Struve Hensel?

Secretary Stevens. Yes.

Mr. Jenkins. Now a party of interest?

Secretary Stevens. Yes.

Mr. Jenkins. You say it was prepared in his office?

Secretary Stevens. I said under his supervision in his office.

Mr. Jenkins. Who did prepare it?

Secretary Stevens. The gentleman that I talked to was Mr. Brown. Mr. Jenkins. And the preparation of that was supervised by Mr. Struve Hensel?

Secretary Stevens. That I believe is correct. And I think it is covered by the letter that transmitted the chronology to Senator Potter.

Mr. Jenkins. Have you read Mr. Hensel's reply?

Secretary Stevens. Actually I have not read it in detail; no, sir. Mr. Jenkins. Have you read of it in the newspapers and you know what it is in the main?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Do you know that he disclaims any personal knowledge whatsoever of the events that occurred from mid-July up until your last contact with Senator McCarthy on January 14?

Secretary Stevens. I don't think he had any connection with it

Mr. Jenkins. Not only had any connection with it, but he had no knowledge of it, did he? Secretary STEVENS. I don't think he had any knowledge of it.

Mr. Jenkins. Any knowledge of it? Secretary Stevens. That is right.

Mr. Jenkins. Can you explain why he supervised the preparation of it?

Secretary Stevens. Why he supervised the preparation of it? Mr. Jenkins. Yes; not having any personal knowledge?

Secretary Stevens. Well, he later began to have knowledge of it, and I think that you said up to January 14, and I think Mr. Hensel began to have knowledge of it somewhere around about the 26th or 25th of February.

Mr. Jenkins. You say there was a Mr. Brown who actually pre-

Secretary Stevens. Mr. Brown, I understand, is in the General Counsel's office in the Department of Defense.

Mr. Jenkins. Where did Mr. Brown get his information upon

which he prepared that 34-page document?

Secretary Stevens. He called upon the Department of the Army to

submit its files containing the material related to it.

Mr. Jenkins. Did the files contain all reports of all these conversations, Mr. Stevens, or was the report made by you or Mr. Adams from memory?

Secretary Stevens. I only know about the part that I was connected with myself. That is, Mr. Brown came to the office and we

discussed the parts of which I had direct knowledge.

Mr. Jenkins. From time to time, in early September, beginning with your trip from Montana back to Washington, did you daily, or upon the occurrence of these events, make a memorandum of them, or did you later, just prior to March and in early March, from memory compile a record of these events?

Secretary Stevens. Most of my material was from memory. Some

of it was from memoranda, letters, and other things.

Mr. Jenkins. You have testified about a meeting in the Schine apartment on September 16.

Secretary Stevens. That is right.

Mr. Jenkins. I will ask you if it isn't a fact that that meeting is not mentioned in either this 34-page compilation of events nor in the

specifications?

While your attorney is looking for that information, will you give us the full name or the initials of the Mr. Brown who prepared this 34-page document under the supervision of Mr. Hensel, and his official position with the Department of Defense?

Secretary Stevens. I will get it for you, Mr. Jenkins.

Mr. Jenkins. Very good.

I ask you if it isn't a fact—as I understand it, you testified here last Thursday or Friday-Friday, I am sure—that on the occasion of this meeting in the Schine apartment in New York City on September 16, Senator McCarthy asked you for a commission for David Schine? Isn't it a fact, Mr. Stevens, that in neither this 34-page document entitled "Events" or the specifications filed as charges here was such a meeting mentioned? Is that correct or not?

Secretary Stevens. I think it is, but that is being checked, Mr.

Jenkins.

Mr. Jenkins. Can you explain to this committee why such an important event as that, in which this first request allegedly was made by the Senator to you was omitted from both the events and the specifications?

Secretary Stevens. I don't know why it was.

Mr. Jenkins. You don't know why?

Secretary Stevens. No, sir.

Mr. Jenkins. Do you think that your recollection now as you testify here under oath is better than it was when these events and the

specifications were prepared?

Secretary Stevens. I suppose as I have thought about this thing, my memory naturally has been sharpened up, Mr. Jenkins, on some points. As to why that particular item was not in, if it was not in, I just don't know.

Mr. Jenkins. You certainly gave it serious consideration before

that list of events was prepared, did you not, Mr. Stevens?

Secretary Stevens. Well, I don't know that I did. I don't know that that chronology originally published was necessarily intended to cover every single thing. Mr. Brown will have to tell us about that.

Mr. Jenkins. As we understand it, that is the first overt act on the part of the Senator in seeking preferential treatment for David Schine. Now, is your explanation of the leaving of that out in the events and the specifications, a lack of memory on the subject; or that you forgot to include it? Is that your explanation?

Secretary Stevens. I just don't know why it was left out.

Mr. Jenkins. You testified further about a meeting on September 21 here in Washington. I will ask you whether or not on that occasion General Partridge was present?

Secretary Stevens. I think he was.

Mr. Jenkins. Isn't it a fact that likewise in both your 34-page document entitled "Events" and your specifications, that meeting was entirely omitted?

Secretary Stevens. That was an executive meeting of this com-

mittee.

Mr. Jenkins. Is that your reason for having omitted it in your events as well as in the specifications, the fact that it was an executive meeting?

Secretary Stevens. It was an executive meeting, yes, and I didn't consider, since the issues here were not discussed, that there was any particular reason to include that executive meeting of this committee.

Mr. Jenkins. You have included in both your events and specifications, references to certain executive meetings, have you not, Mr. Secretary.

Secretary Stevens. That is right; yes.

Mr. Jenkins. Then do we understand that the reason it was omitted was not because it was an executive meeting, but because there was nothing of interest discussed? Is that now your explanation?

Secretary Stevens. I wouldn't say that there was nothing in the course of the hearing that was not of interest discussed, but it was an executive session and I would not have felt at liberty to discuss it.

Mr. Jenkins. There were discussions bearing upon the issues of this controversy, were there not, Mr. Stevens, and to which you testified in your direct examination?

Secretary Stevens. I think that General Partridge did appear as a witness, yes. I don't know whether it had to do with the issues which

we are talking about here or not.

Mr. Jenkins. Will you identify General Partridge and where he fitted into your scheme of things in the Army?

Secretary Stevens. General Partridge was the Assistant Chief of Staff G-2, which is in charge of intelligence.

Mr. Jenkins. In charge of intelligence?

Secretary Stevens. That is right.

Mr. Jenkins. It was a part of his duty to investigate the infiltration of Communists or espionage in the Army, wasn't it?

Secretary Stevens. That is right.

Mr. Jenkins. Did you later remove him from that post?

Secretary Stevens. No, sir. We had a new Chief of Staff come in August of last year, and in the course of the new Chief of Staff taking over, it is the perfectly normal procedure for him to make changes in the Chief of Staff positions. He made a number of them, including General Partridge.

Mr. Jenkins. Do you know when General Partridge was relieved

from his post of intelligence?

Secretary Stevens. I can't remember the exact date.

Mr. Jenkins. Approximately.

Secretary Stevens. I should think it was probably November. Mr. Jenkins. While the McCarthy investigation was in progress.

wasn't it, Mr. Secretary?

Secretary Stevens. I think so, yes, sir.

Mr. Jenkins. You think so. Isn't it a fact that you told Senator McCarthy and members of his staff that Partridge knew nothing whatever about intelligence or the duties pertaining to that particular post?

Secretary Stevens. That is positively not a fact.

Mr. Jenkins. Positively not the fact. He was removed not by you

but by the Secretary of Defense or Chief of Staff?

Secretary STEVENS. The Chief of Staff. General Ridgway made changes in his staff and he brought in General Trudeau from Korea as G-2 in charge of intelligence.

Mr. Jenkins. Mr. Secretary, you further testified on direct exami-

nation about a meeting of September 28. Do you recall that?

Secretary Stevens. No, I don't recall that.

Mr. Jenkins. You don't recall that?

Secretary Stevens. At the moment, no, I don't. Could you refresh

my memory on it?

Mr. Jenkins. Be that as it may, the meeting of September 28 is mentioned neither in the 34-page compilation of events nor the specifications. That is correct, isn't it?

Secretary Stevens. I think that is correct.

Mr. Jenkins. The record will show, of course, what your testimony was about the meeting of September 28.

Now, on September 29 I will ask you whether or not that was the

occasion of the wedding day of Senator McCarthy?

Secretary Stevens. It was.

Mr. Jenkins. You attended that wedding?

Secretary Stevens. I did.

Mr. Jenkins. Upon the invitation of the Senator?

Secretary Stevens. Correct.

Mr. Jenkins. I will ask you if you didn't sit at that wedding or stand with one G. David Schine.

Secretary Stevens. In very close proximity to him.

Mr. Jenkins. In close proximity to him, and talked to him on that occasion?

Secretary Stevens. That is right.

Mr. Jenkins. Did you make an engagement to see him at a later date on that occasion?

Secretary Stevens. I don't think I did.

Mr. Jenkins. You don't think you did? Do you deny that you did?

Secretary Stevens. I do not recall that I did.

Mr. Jenkins. If you did, would you have any idea of the purpose of a future meeting between you, the Secretary of the Army, and this boy who was not then in the Army?

Secretary Stevens. Yes. I think it entirely possible that David Schine, if he wanted to talk to me, wanted to talk about his future

military position.

Mr. Jenkins. But didn't you initiate the conversation and tell him that the following day, or shortly thereafter, you wanted to see him and talk to him, and that it was no time or place to talk to him on the wedding day of the Senator?

Secretary Stevens. I don't recall that.

Mr. Jenkins. You don't recall it and you don't deny it? Secretary Stevens. I don't recall it and I do not deny it.

Mr. Jenkins. Will you examine there, and I am sure your lawyer will assist you, your events of October 2. And while that is being done, let me ask you the question: Isn't it a fact that in the document referred to as "Events," you state that Roy Cohn spoke to you about David Schine on October 2, whereas in your specifications you say that both Cohn and Carr sought special favors for David Shine?

State whether or not that is the fact. And if you have any explanation of that discrepancy, you may give it to the committee at

this time.

Secretary Stevens. Well, I think that I said, in my testimony on this point, that Mr. Cohn did most of the talking on the subject. I do not recall.

Mr. Jenkins. Your specifications are before you, and you may be

positive about it, Mr. Secretary.

Mr. Welch. Mr. Chairman, could I say a word about this case—now I hear myself. Mr. Jenkins would be quick to say that our specifications were prepared with great speed and under great pressure. I am frank to say they were finished in the small hours of the morning. I think Mr. Jenkins would do me the credit of saying we were more closely on schedule on our specifications than was the other side.

Be that as it may. They were also the specifications, or also based on information from Mr. Adams. But I would like, although it is not comfortable for me to say so, that if there are defects in the specifications of omission, the chances are very good that my young friend whom I so greatly admire, and myself, are very much to blame.

Mr. Stevens did not stand at my standup disks late at night while we whipped those out. It was Mr. St. Clair and I who did it.

Mr. Jenkins. Mr. Chairman, it is of course a difficult task to interrupt such a gracious gentleman as Mr. Welch, but those are proper matters for him to show on cross-examination; and your opportunity will come.

Now, Mr. Stevens—

Mr. Welch. I beg your pardon.

Mr. Jenkins. Now, Mr. Stevens, did you not go to Mr. Allen Dulles on October 15, with reference to David Schine, and particularly with reference to getting a commission for him?

Secretary Stevens. I went to Mr. Dulles, but it was not on October

15.

Mr. Jenkins. When was it?

Secretary Stevens. It was on the 28th, sir.

Mr. Jenkins. I beg your pardon. Secretary Stevens. October 28.

Mr. Jenkins. You went personally. Who was Allen Dulles at the time?

Secretary Stevens. He was director of the Central Intelligence

Agency, and still is.

Mr. Jenkins. And that is a Department of the Army where men especially qualified in investigations are sent for training and for

commissioning?

Secretary Stevens. No. It is a completely independent agency, and it has nothing to do with the Army, except to the extent that its work is coordinated with Army and other military services.

Mr. Jenkins. You say that was on October 28?

Secretary Stevens. That is right.

Mr. Jenkins. Nearly 2 months after you say these importunities started by the committee for favors for Schine, is that right?

Secretary Stevens. That is right, yes.

Mr. Jenkins. At whose instance did you go to see Allen Dulles, was it your own, or that of the Senator, or Mr. Cohn, or anyone else?

Secretary Stevens. This matter came up on the telephone, and Mr. Cohn called me and said that he had two matters in mind with respect to Mr. Schine. One was a possible furlough that might be granted immediately on Mr. Schine's being inducted, and the other was the possibility that CIA might have some use for Mr. Schine.

I said, "Well, I will go and ask Mr. Dulles if he can use Mr. Schine." And I did that. And he said that he could not use him,

and I so reported to Mr. Cohn.

Mr. Jenkins. If he could use Mr. Schine in what capacity?

Secretary Stevens. In any capacity.

Mr. Jenkins. Well, did you consider that an act on your part

designed to favor David Schine?

Secretary Stevens. I considered it as an act of cooperation as a result of the telephone conversation when Mr. Cohn called me with respect to David Schine.

Mr. Jenkins. I will ask you whether or not mention is made of that act on your part, regardless of how this committee construes it, in

either the 34-page compilation of events or the specifications?

Secretary STEVENS. I will ask if I may, that the attorney look that up and see. I can't answer it at the moment.

Mr. Jenkins. Did you ever tell Schine, yourself, that you wanted

him in Intelligence?
Secretary Stevens. That I wanted him in Intelligence?

Mr. Jenkins. Right.

Secretary Stevens. No, I don't remember that. I have talked, I remember, in the early part of this thing there was a good deal of discussion like the time I rode down with him in the car from uptown

New York, which I discussed on Friday. Intelligence matters were discussed.

Mr. Jenkins. With Schine? Secretary Stevens. Yes.

Mr. Jenkins. And that was during the period of the McCarthy investigation, wasn't it?

Secretary Stevens. That is right.

Mr. Jenkins. Now, Mr. Secretary, that was not a part of your pattern to hold this boy Schine as a sort of a hostage, and use him as a bait for the purpose of abating this investigating, was it?

Secretary Stevens. Certainly not, and if he was a hostage, so are hundreds of thousands if not millions of young American hostages when they are doing their duty in the service of their country.

Senator Mundr. May I inquire whether the counsel has produced

the information so that the Secretary can answer the question which is being held in abeyance?

Mr. St. Clair, are you ready?

Mr. St. Clair. I cannot find it, Mr. Chairman.

Mr. Jenkins. I believe you had a meeting about which you testified on November 6, Mr. Secretary, in your office; did you not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And will you tell us again who was there?

Secretary Stevens. Senator McCarthy, Cohn, Carr, Adams, and myself, for one-half of the meeting; and then for the last half of the meeting General Ridgway, General Trudeau, and General Mudgett.

Mr. Jenkins. I will ask you whether or not, Mr. Secretary, you on that occasion likewise invited one G. David Schine to attend as your guest, November 6, at which time you had the table set and had a chair there for G. David Schine and then expressed great disappointment that he did not attend with the Senator and his staff?

Secretary Stevens. Well, David Schine at this time was in the Army, and he had gone in on November 3, and he was assigned as you know in the first instance to temporary duty, First Army, in New York,

with the idea of being available for committee work.

Now, if David Schine was in Washington, on that particular day, I would have been glad to have him come along as a member of the staff of this committee. I do not recall having specifically invited him to the luncheon.

Mr. Jenkins. You say he was in the Army?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Don't you know that he did not report to Fort Dix until November 10, 4 days after the date about which I am questioning vou?

Secretary Stevens. Yes, I know that.

Mr. Jenkins. Very well. Now, Mr. Secretary, I observe that in answer to certain questions I ask you, you are extremely positive, and here you don't appear to be, apparently.

I ask you again, isn't it a fact that you specifically requested Senator McCarthy and Roy Cohn to bring G. David Schine to the Penta-

gon to your office on November 6, for a luncheon with you?

Secretary Stevens. If he was in town, I would have been delighted

to have him. Mr. Jenkins. That I submit, Mr. Chairman, is not an answer to my question.

Now, I ask it again, did you or did you not, on November 6, invite David Schine to the Pentagon to your office for lunch with Senator? Secretary Stevens. I definitely do not recall having done so.

Mr. Jenkins. Well, to refresh your recollection, do you remember, Mr. Secretary, that you had a table set with food, all ready for all

your guests, and that there was one vacant chair there?

Secretary Stevens. I don't recall that detail. It may well have been.

Mr. Jenkins. Do you remember that that was for the absent invitee, G. David Schine?

Secretary Stevens. No, sir, I do not recall that.

Mr. Jenkins. Do you remember telling Senator McCarthy and Roy Cohn that you were especially disappointed that David Schine did not attend?

Secretary STEVENS. I do not. Mr. Jenkins. Do you deny it? Secretary STEVENS. Do I deny it?

Mr. Jenkins. Do you deny inviting David Schine to your——Secretary Stevens. I have no recollection of having invited David Schine. I would have been delighted for him to come.

Mr. Jenkins. You would have been delighted for him to come? Secretary Stevens. If they wanted to bring him as a member of

the staff.

Mr. Jenkins. In spite of all of these terrific efforts to high-pressure you, you still would have been delighted for David Schine to come on November 6?

Secretary Stevens. For the reason that the Fort Monmouth investi-

gation was the principal subject for discussion.

Mr. Jenkins. Did you not tell Senator McCarthy and Roy Cohn on that occasion, the 6th, that you wanted your picture taken with David Schine?

Secretary Stevens. I doubt very much that I did.

Mr. Jenkins. Do you doubt any other event of November 6 about which I have asked you? You seem to be pretty positive about the picture, and rather hazy about whether you invited him there or not? Secretatry Stevens. I do not recall having invited David Schine.

Mr. Jenkins. If the Senator and Roy Cohn and others testify that is the fact, you are not in a position to deny it? Is that what you are saying?

Secretary Stevens. I would like to hear the testimony. Mr. Jenkins. You would like to hear their testimony.

What possibly could have been your purpose in inviting David Schine there on the 6th day of November to lunch with you, the Secretary of the Army, if it were not for the purpose of offering tidbits, so to speak, sweet morsels of tidbits to lull to sleep this three-headed monster that you say was about to devour you?

Secretary Stevens. I certainly had no such idea, Mr. Jenkins. Mr. Jenkins. Why would you have wanted him there if not for that

reason?

Secretary Stevens. Only because he was a member of Senator McCarthy's staff, and if Senator McCarthy wanted him to come, it would have been perfectly all right with me.

Mr. Jenkins. He was then a draftee in the Army?

Secretary Stevens. That is right.

Mr. Jenkins. Great pressure had been exerted upon you, you say—

Secretary Stevens. That is right.

Mr. Jenkins. For preferential treatment.

Secretary Stevens. Right.

Mr. Jenkins. And yet in spite of all that, and in spite of all this investigation that was going on, you now deny that the only purpose you could possibly have had in mind in getting him there was to pacify the Senator and get him off of your neck at Fort Monmouth?

Secretary Stevens. I completely deny that. Mr. Jenkins. Of that, now, you are positive? Secretary Stevens. I am 100-percent sure.

Mr. Jenkins. Is that right? Secretary Stevens. Yes, sir.

Mr. Jenkins. Mr. Secretary, thank goodness I am about through. One other serious charge has been made against you, and that is, from time to time you offered up a bigger bait even than David Schine to this committee to let you alone, to wit, the Air Force or the Navy, it being alleged that you tried to divert this committee from the Army to the Air Force or the Navy. What do you say about that charge?

Secretary Stevens. I say it is an unequivocal lie.

Mr. Jenkuns. That is one phase of this investigation about which your memory hasn't failed you?

Secretary Stevens. It certainly has not.

Mr. Jenkins. I want to read you an excerpt from your testimony. I believe you have admitted that you did try to prevail upon the committee to suspend the operations as far as the investigation of Fort Monmouth is concerned.

Secretary Stevens. I wanted to change the type of hearing. As far as the investigation was concerned, it could go right along.

Mr. Jenkins. This is from the record of April 23:

Question:

Now you were telling about a statement you made to the effect that if this thing continued and these headlines were emblazoned upon the front page of the papers, it would drive you out of office.

I believe you admitted that. Here is the answer you gave:

I said that it could; that such a thing could happen. And Senator McCarthy said that that was not his intention. We discussed further the question of how to handle this Fort Monmouth situation. Senator McCarthy then said that he was planning to look into some situations in industrial plants, and I stated that the Army and in fact the whole Defense Department was very much interested in that subject and had problems connected with it.

I will ask you, wasn't that, Mr. Stevens, an invitation on your part—

Secretary Stevens. It was not.

Mr. Jenkins. Wait. I haven't finished.

[Continuing:] To seek to divert Senator McCarthy and his staff from the Army to industrial plants and other phases not connected with the Army? Wasn't that there your intention when you stated that?

Secretary Stevens. It definitely was not. If you want me to give

you a little background on that—

Mr. Jenkins. Did you ever intimate or suggest or did your attorney, Mr. Adams, to your knowledge ever suggest, that there was a

ripe, juicy field in other departments of the Army or in the Air Force or in the Navy for investigation?

Secretary Stevens. Never.

Mr. Jenkins. Do you know of a map that was on one occasion drawn by your attorney, Mr. Adams?
Secretary Stevens. I have heard of it. I never saw it.

Mr. Jenkins. It was drawn during the course of a conversation between him and Roy Cohn, wasn't it?

Secretary Stevens. That is what I have been told. Mr. Jenkins. Did you make an investigation of that? Secretary Stevens. An investigation of the map?

Mr. Jenkins. Yes, of why your lawyer would draw a map in the presence of Roy Cohn, showing the different departments of the

United States Army, the different areas.

Secretary Stevens. No, I didn't make any investigation about it. Mr. Jenkins. All right, then you deny that what you said to the Senator with respect to investigating industrial plants was designed to get a suspension or to divert him to some other field of endeavor? Is that your testimony?

Secretary Stevens. Exactly.

Mr. Jenkins. I believe, Mr. Chairman, you may take the witness. Senator Mundt. Thank you, Mr. Jenkins. In approximately 90 minutes you will have another chance.

In my 10 minutes I would like to start, Mr. Stevens, by reading the

first paragraph of your specifications, dated April 13. It says:

The Department of the Army alleges that Senator Joseph R. McCarthy, as chairman of the Permanent Subcommittee on Investigations (hereinafter called the subcommittee) of the United States Senate, and its chief counsel, Roy M. Cohn, as well as other members of its staff, sought by improper means to obtain preferential treatment for one David G. Schine, United States Army, formerly chief consultant of the subcommittee, in that-

Then it lists 29 specifications.

I would like now to break down the specific parts, insofar as your own personal knowledge is involved, that each of the three, to wit, Carr, Cohn, and McCarthy, may have played in the specific manner of utilizing improper means to obtain preferential treatment. Let's go first to Mr. Carr.

Are there any specific occasions, to your personal knowledge, that Mr. Carr used improper means to obtain preferential treatment for

Private G. David Schine?

Secretary Stevens. I indicated this morning that in the meetings that Mr. Carr attended, he was-

Senator Mundt. Passive.

Secretary Stevens. Passive about it, and Mr. Cohn did most of the talking. However, Mr. Adams had far more meetings with Mr. Carr

Senator Munder. I am questioning you solely now from the standpoint of your own personal knowledge.

Secretary Stevens. Yes, sir.

Senator Mundt. Part of the task of this subcommittee is to find out one by one about these three individuals, whether they used improper means. I am talking now strictly about Mr. Carr and strictly about your own personal knowledge. At any time did Mr. Carr engage in improper means, in your opinion, to seek preferential treatment for G. David Schine?

Secretary Stevens. Not nearly to the extent that Cohn did. Senator Mundt. To what extent and on what occasions?

Secretary Stevens. It is very hard to define, Mr. Chairman, and I am not trying to evade it. I think Frank Carr took a relatively inactive part in the whole situation that we are discussing so far as my personal knowledge is concerned.

Senator Mundt. In all events, Mr. Carr has been charged in this

presentation with some very serious misbehavior.

Secretary Stevens. That is correct.

Senator Munder. In justice to you and in justice to him, I think our committee should know specifically when and what he did which was

Secretary Stevens. I think that will no doubt come out—

Senator Mundt. Insofar as you know.

Secretary Stevens. Insofar as I know, a relatively inactive part. Senator Mundt. Does the Chair understand that insofar as you know, you absolve him of engaging in improper means, and if not,

when and where did he do something improper?
Secretary Stevens. Well, I would say this: I think Mr. Carr might have been a little more active in trying to stop some of the conversa-

tions that went on, and he did not do that.

Senator Mundt. What did he do positively that was improper? Secretary Stevens. Well, he would sit there and listen to Cohn make these statements and possibly in a mild way take part, but nothing, I say, of more than a passive or inactive nature so far as my

personal knowledge of Carr is concerned.

Senator Mundt. Well, may I say, Mr. Stevens, that I think that you owe it to the committee and to Mr. Carr, either to say that insofar as your own personal knowledge is concerned you absolve him of charges of improper treatment, or that you specify the way and the time in which he was improper.

Secretary Stevens. Well, I will have to do a little thinking about

that, Mr. Chairman.

Senator MUNDT. You may think.

Secretary Stevens. Do you mean I have to think right now?

Senator Mundt. Yes.

Mr. Carr is being charged right now and I think you should be specific about it.

Secretary Stevens. He is being charged by the Department of the

Army, Mr. Chairman.

Senator Mundt. I am not trying to absolve him as a result of your testimony, but I am trying to find out whether your testimony implicates him or absolves him.

Secretary Stevens. I would say the testimony of others would

implicate him far more than any testimony of mine.

Senator Mundt. Let us stick to the testimony of Bob Stevens and the information that Bob Stevens has for our committee.

Of your own personal knowledge, are you charging him with improper treatment, improper means or improper inducements, or intimidation; or are you as far as your own personal relationships are concerned absolving him?

Secretary Stevens. Well, I say, I think that Carr could have stepped up and stopped some of this conversation that went on, and he didn't

do it on the other hand.

Senator Mundt. Is that the extent of your charge, that Mr. Carr failed to step up and stop either Senator McCarthy or Mr. Cohn from saying things that you think they should not have said?

Secretary Stevens. If he had given any indication of doing that, I

would absolve him.

Senator Mundr. Is that the extent of your charge, that he failed to step up to stop them from saying things that you thought were

Secretary Stevens. As I say, Carr took part in a minor way, in these

discussions that took place.

Senator Munder. What did he do beyond failing to step up to stop Senator McCarthy or Mr. Cohn from saying things that you thought were improper; what else did he do, if anything?

Senator McCarthy. Mr. Chairman, one very brief point of order, I think that the record should show that Mr. Carr has no jurisdiction

over my chief counsel, Mr. Cohn, nor over the chairman.

Senator Mundt. That is something that you may bring up in crossexamination, and I don't believe that is a point of order. I don't suppose that Mr. Stevens would be in possession of that information.

I am trying to find out, in justice to Mr. Carr, and I am sure that

you want to be fair-

Secretary Stevens. I do.

Senator Mundt. Just exactly the extent of the charge that you are now leveling from your own personal knowledge against Mr. Carr.

You have said that you charge him with sitting there passively and not trying to stop Senator McCarthy or Mr. Cohn when they talked to you about Schine.

Secretary Stevens. And taking minor parts in the conversation.

Senator Mundt. The chairman's time has expired.

Senator McClellan.

Senator McClellan. Mr. Secretary, what authority do you have with respect to granting commissions in the Army?

Secretary Stevens. Commissions? Senator McClellan. Yes. Direct commissions as was requested for Mr. Schine?

Secretary Stevens. Well, I never have granted one.

Senator McClellan. Who has the authority? And I want to decide the source of the appeal and of whom it was made, and what you did about it.

Assuming that his application had been found proper and he was qualified, who would have made the decision to grant a commission or who made the decisions to reject the request?

(The witness consulted with his counsel.)

Senator McClellan. Do we have to have that much conference to

find out who had authority to grant a direct commission?

Secretary Stevens. Most of that, most of that was delegated, the authority for that delegated to the technical services, that is, like the Corps of Engineers, or the Judge Advocate General, or the Chemical Corps.

Senator McClellan. Well, who, what position, or who occupies what position can accept or approve an application for a direct com-

mission and grant it?

Secretary Stevens. The chief of a technical service in my name. Senator McClellan. In your name?

Secretary Stevens. Yes, sir.

Senator McClellan. Do they come to you directly?

Secretary Stevens. No.

Senator McClellan. Do they ever reach you?

Secretary Stevens. No, sir.

Senator McClellan. Do you ever pass judgment on them?

Secretary Stevens. No, sir.

Senator McClellan. It is done by somebody under your command or under your direction?

Secretary Stevens. And I delegate it.

Senator McClellan. When they make the decision, if they make a decision rejecting an application for a commission, is it then carried to you for your approval, for your review, or for any action whatsoever?

Secretary Stevens. No, sir.

Senator McClellan. Well, tell us exactly what happened in the case of Schine? Who undertook to prosecute the request for a direct commission for him?

Secretary Stevens. Well, General Reber was first contacted by

Senator McCarthy.

Senator McClellan. Well, he was just a liaison man between the Hill over here, between the Congress and the Department?

Secretary Stevens. That is right.

Senator McClellan. So he conveyed the message to someone?

Secretary Stevens. That is right. Senator McClellan. To whom?

Secretary Stevens. Well, he filled out an application, and it was the Adjutant General's Office that processed it.

Senator McClellan. The Adjutant General processed it?

Secretary Stevens. That is right.

Senator McClellan. Schine went there to fill out the application?

Secretary Stevens. That is right.

Senator McClellan. And he did fill it out there? Secretary Stevens. Finally he did; yes, sir.

Senator McClellan. Finally he did. How many trips did he make down there to fill it out?

Secretary Stevens. I think two.

Senator McClellan. Do you know why he didn't fill it out completely the first time?

Secretary Stevens. No, sir.

Senator McClellan. Well, you took no action on it until he made the second trip and completed it?

Secretary Stevens. That is right.

Senator McClellan. Now, what action was taken on that application after he completed it, tell us what happened to it?

Secretary Stevens. Well, it was referred to the technical service,

in this case, the Transportation Corps.

Senator McClellan. Who is the technical service now, who is at the head of it and who passed on the application?

Secretary Stevens. General Yount was the head of it.

Senator McClellan. General——

Secretary Stevens. Yount, Y-o-u-n-t. He is Chief of Transportation.

Senator McClellan. Is he the one that rejected the application? Secretary Stevens. He said that having looked over the application and seen what the qualifications were, and what the needs of his service were, that they had no place open for a commission for that particular qualification.

Senator McClellan. Who did he give that report to?

Secretary Stevens. Back to the Adjutant General, I would assume. Senator McClellan. He reported to the Adjutant General after examining the application that he wasn't qualified or that they had no place for an officer of his qualifications?

Secretary Stevens. That is right.

Senator McClellan. Then what occurred? Did you pass on it at that time?

Secretary Stevens. Then the Adjutant General would have notified

General Reber, and he in turn would notify Mr. Schine.

Senator McClellan. When it was taken up with you direct, either by Senator McCarthy, or by Mr. Schine, or Mr. Cohn, what did you do, if anything, to try to get him a direct commission? Did you take any action, any positive action to try to prosecute that application successfully?

Secretary Stevens. No, the action was turned down by the Department of the Army. That was the end of it as far as we were concerned.

Senator McClellan. Did you have the authority, if you had wanted to do it, as Secretary of the Army, to overrule the action that had been taken by your subordinates in turning down the application and grant him a commission?

Secretary Stevens. I would say that I had the authority to do it,

but I couldn't conceive of doing such a thing.

Senator McClellan. You couldn't conceive of doing that?

Secretary Stevens. No, sir.

Senator McClellan. You have never done it for anyone else?

Secretary Stevens. No, sir.

Senator McClellan. Therefore, you risked their judgment and relied upon their decision with respect to whether an applicant is qualified?

Secretary Stevens. Yes, sir.

Senator McClellan. So I want to ask you this question: State whether you did everything you and your subordinates, with respect to this application of Mr. Schine for a direct commission, that you would do and have done for all others who have so applied?

Secretary Stevens. Everything.

Senator McClellan. Do you spend as much time on every one of them as you have spent on this one?

Secretary Stevens. I never had one that was in the same possible

category as this one.

Senator McClellan. Well, what has placed this one in a different

category to the others?

Secretary Stevens. This constant and repeated contact in regard to Schine as represented by my summary of 65 telephone calls, 19 meetings, and so forth.

It was a question of accumulated effect of many, many individual

actions, which totaled up to pressure that we were under.

Senator Mundt. Sorry, the Senator's time has expired.

Senator McClellan. I was just getting started.

Senator Mundt. Senator Dirksen, of Illinois.

I think the Senators will learn to appreciate the value of 10 minutes. Senator McClellan. I still favor unlimited debate, Mr. Chairman. Senator Mundt. Well, we will all have another turn at bat, approx-

imately an hour and a half hence.

Senator Dirksen. Mr. Secretary, I have just a few questions. First let us refer to the Fort Monmouth meeting at which time some members of the group who were there could not gain admission to the top-secret laboratory.

Secretary Stevens. Yes, sir.

Senator Dirksen. What type of clearance is required to enter that laboratory?

Secretary Stevens. That would be very top clearance. Senator Dirksen. Is that what they call Q clearance?

Secretary Stevens. No; that wouldn't be a Q clearance. Top secret.

Senator Dirksen. Top-secret clearance?

Secretary Stevens. Yes, sir.

Senator Dirksen. Now, do Senators automatically have that clearance?

Secretary Stevens. I don't think they do, Senator Dirksen.

Senator Dirksen. But in any event, some distinction might be made between a Senator and a member of his staff?

Secretary Stevens. That was my feeling, that anybody that had

been elected to Congress was entitled to visit the laboratory.

Senator Dirksen. The party left Washington and went to Fort Monmouth, and I just assume that evidently the clearances were not

provided for before they left Washington. Was that it?

Secretary Stevens. We didn't know exactly what our plans for the day would be until we got there, Senator. As far as I know, no particular preliminary planning was done. The result was that when we came to that particular lab the question of proper clearance came up. We couldn't settle the whole business in a matter of 3 or 4 minutes, so I made my on-the-spot decision and unfortunately Mr. Cohn didn't like it.

Senator Dirksen. Where would clearance have to be obtained to

enter that particular establishment?

Secretary Stevens. I would say that clearance would have to be made by our Intelligence people.

Senator Dirksen. And made on an individual basis in each case?

Secretary Stevens. That is right.

Senator Dirksen. Somewhere it was not made for the staff; obviously they could not enter that particular structure.

Secretary Stevens. That is right.

Senator Dirksen. The only reason for the question is that the record indicates that you apologized about the matter, and I just wondered whether that fact entered into your apology, some frustration that having made the trip up there is was impossible for everyone to go into the laboratory.

Secretary Stevens. That wasn't it. I dislike the use of the word "apology" even though I used it as Mr. Jenkins read it from the record. I have rethought about it and I feel that it was much more in the nature of an explanation than it was an apology. It wasn't anything to do with the fact that plans had gotten compli-

cated there or anything. I was sorry that Mr. Cohn or anyone else was distressed.

Senator Dirksen. You testified a little while ago that General Partridge was shifted from his position as Chief of G-2. There were also other changes in the staff?

Secretary Stevens. That is right.

Senator Dirksen. But you didn't particularize and say how many. Secretary Stevens. For example, the Vice Chief of Staff, and the Chief of Information, to mention two that I can think of offhand.

There have been a lot of other changes, too, which I can particu-

larize for you if you would like to have them, Senator.

Senator Dirksen. It is not material except to indicate whether this stood by itself——

Secretary Stevens. Oh, no.

Senator Dirksen. Or whether there were a number of changes.

Secretary Stevens. There were a number of changes made. It is routine procedure with an incoming new Chief of Staff to so staff his organization that he has the people that he wants to handle that tremendous job in the way that he thinks it should be handled.

Senator Dirksen. Going back for a moment to the application of Mr. Schine for a commission, did you examine the written applica-

tion and are you familiar with what is in it?

Secretary Stevens. No; I am not personally familiar with that

written application.

Senator Dirksen. There has been very little testimony thus far with respect to qualifications, but if you are not familiar with the application itself, what the principal recitals are, namely, the facts that would have to be the foundation for consideration for a commission or for intelligence duty, I presume that question ought to be directed to some other person. So if you have no firsthand familiarity with the application, I shall not press it.

Secretary Stevens. No. I haven't studied the application person-

ally.

Senator Dirksen. That is all for the moment, Mr. Chairman.

Senator Mundt. Senator Jackson?

Senator Jackson. Mr. Secretary, what gave rise to the release of the so-called chronology of events which I think was released on March 11?

Secretary Stevens. What gave rise to it?

Senator Jackson. Yes.

Secretary Stevens. I would say, Senator Jackson, that it was an increasing interest on the part of the Senators and Congressman on

this Hill that gave rise to it.

Senator Jackson. At what time did you reach the so-called breaking point in your relations with the chairman of the committee and the staff? I have listened very carefully to all of the events, meetings, telephone calls, and so on, that occurred over a period of time dating back to your return from Montana, and until after your return from the Far East. About what time did you decide to put down on paper what was going on and to do something about it?

Secretary Stevens. This chronology that you referred to was pre-

pared, I would say, during the first week or 10 days of March.

Senator Jackson. What I am trying to get at, what was the breaking point? You had all these meetings and conversations which later

resulted in serious charges. What happened, what took place, that made it necessary for you or someone under your direction to send the chronology of events and charges?

Secretary Stevens. I am afraid I have been slow in getting your

question.

Senator Jackson. Maybe my question was not very clear. I am sitting over at this side of the table trying to find out just what went

Secretary Stevens. What had happened was that the question of Schine's training at Fort Dix had become a matter of some interest to the Congress of the United States. We had received a fair number of letters in regard to the matter, extending over a period of several We acknowledged those letters and said we were looking into the matter and would supply information later on.

Time went by, and more inquiries came in, and it finally got to the point where this information had to be made available to this committe and to other Members of the Congress who had inquired about it.

Senator Jackson. At what point in this chronology of events did you come to the conclusion that the requests and demands made of you were improper and had gone beyond the point of propriety? Do you have any idea?

Secretary Stevens. I would say that that information started to accumulate back during the early period of training of Schine at

Dix, and it built up increasingly as time went on.

Senator Jackson. You had reservations from the very beginning

that it was a cumulative sort of thing?

Secretary Stevens. I won't say that I had reservations, but it began to be apparent that Mr. Schine, Private Schine, was something of a problem to the commanding officer at Fort Dix, and this began to become public property over a period of time, and Members of the Congress got interested in it.

Senator Jackson. Word was being rumored around that requests of an unusual nature were being made in behalf of Mr. Schine?

Secretary Stevens. Yes, that was rumored around.

Senator Jackson. Who prepared this chronology of events? I understand that it was a Mr. Brown in Mr. Hensel's office?

Secretary Stevens. That is right.

Senator Jackson. According to the statement appearing in U. S. News & World Report of March 12, 1954, in which your charges and the charges of Senator McCarthy and the staff were printed, it was stated that:

It is not a report. It is John Adams' version of the situation-

This is coming from, I believe, Senator McCarthy and Mr. Cohn and Mr. Carr. This is a direct quote:

It is not a report. It is John Adams' version of the situation. There has been issued a twisted, distorted, untrue version written by a man who has a special interest in the situation.

Secretary Stevens. Of course, I think that is a completely inaccurate and, in itself, unfair statement.

Senator Jackson. That statement is not true?

Secretary Stevens. No. sir.

Senator Jackson. Could you tell the committee—as I understand it, Mr. Brown in Mr. Hensel's office prepared this?

Secretary Stevens. That is right.

Senator Jackson. Why was it sent to the Department of Defense? Secretary Stevens. You see, Senator Potter wrote the Secretary of Defense a letter on this subject, dated, I think it was the 8th of March, and he put down some very pointed questions. The Secretary of Defense wanted to be in a position to answer Senator Potter's letter. The chronology——

Senator Jackson. Normally—Mr. Secretary, I do not mean to break in, but normally wouldn't you send the material, that is, prepare it in your office and send it to the Secretary of Defense for his reply? That

is what confused me.

Senator Mundt. The Senator's time has expired, but you may answer the question.

Secretary Stevens. Could I have it read, Senator? Senator Jackson. I will state it again very briefly:

Normally when a letter is sent to the Secretary of Defense, a letter of inquiry, relating to the Army, wouldn't the Army normally prepare that information and forward it to the Secretary and let the Secretary send the reply covering the information sent by the Army?

Secretary Stevens. Yes, that frequently happens, Senator. That is

normal procedure.

Senator Jackson. In this case, however, it was not done?

Secretary Stevens. John Adams is the Department Counselor, and I think that had a bearing of why it went up to the Department of Defense.

Senator Jackson. I understand I had only 6 minutes.

Senator Mundt. I beg your pardon. I was told the time was up. The timekeeper was in error. You have 4 minutes more.

Senator Jackson. I understand I have 4 minutes in which to expire. Mr. Stevens, can you tell us about this agreement whereby the Army granted passes at Fort Dix to Private Schine? Now, let me just continue that by stating that according to the Army report:

On December 6, 1953, General Ryan telephoned Mr. Adams from Fort Dix and stated the matter of handling Private Schine was becoming increasingly difficult since the soldier was leaving the post nearly every night.

Now, on page 11 of your statement of Friday, I mean of your statement of charges, you are quoted as saying that you had told General Ryan that Schine should be made available upon the request of the committee staff over week ends when required to complete Schine's work for the committee and provided that it did not interfere with his training.

Then the statement of charges submitted by Senator McCarthy's in

paragraph 13 of the charges state that, and I quote:

to call participation in arrangements to have Private Schine devote many hours over and above Army training which could otherwise have been spent in recreation, to the completion of vital committee work, a request for preferential treatment defies reason. All such arrangements were made with the full concurrence of Mr. Stevens.

Now, can you just tell the committee about this arrangement or whatever it was at Fort Dix? First, was it understood that Private Schine could leave the fort at night after the completion of his training or was it just week ends, or was it any time the committee requested his release for committee work?

Secretary Stevens. Senator Jackson, it was at any time that the committee actually needed him for work, providing it didn't interfere with his training and also providing that it was under General Ryan's jurisdiction to make a determination on whether or not it complied with those provisions.

Senator Jackson. But you see on your statement of charges, I believe on page 11, you stated that you told General Ryan that he should be made available upon the request of the committee staff over

weekends.

Now, what was the operating arrangement at Fort Dix? I realize that it may not have been a written document, but what sort of an understanding was the general operating under? I take it that General Ryan found it a bit difficult to carry out his directives.

Secretary Stevens. That is right. The original arrangement, you

will recall, Senator Jackson, was temporary duty to New York.

Senator Mundr. I am sorry, this time it is official and your time is up.

Secretary Stevens. I hadn't finished my answer.

Then, that was changed to being available for committee work, from Fort Dix when actually needed by the committee and providing it didn't interfere with his training. At first that was believed to be needed on an evening during the course of a week, would he be made in the nature of weekends, but when the question came up that if he was available providing it was legitimate committee business and did not interfere with his training, that also was permitted subject to General Ryan's view of the individual situation.

Senator McCarthy. Mr. Chairman, I just want to tell the Chair that I have something which I consider of extreme importance in regard to this investigation and if my turn comes up when I am absent,

Mr. Cohn will take it.

Senator MUNDT. Thank you.

May the Chair ask the timekeeper not to take from Senator Potter's time the answer of Secretary Stevens, and we will charge that time to Mr. Jenkins because he has time to spare, and nobody else has.

Senator Potter. I think it generous action of the chairman.

Mr. Secretary, I have to preface my question. I would like to state this, that I am neither a counsel for any of the parties nor am I a devil's advocate in this controversy.

I would like to ask this one question: Is it not a fact that there was an original chronological outline of the order of events that was

prepared in your office, or in the Department of the Army?

Secretary Stevens. I would say there was a file of papers, Senator Potter, containing a lot of material, which was subsequently put together into this chronology, and everything that was in that file is available to this committee.

Senator Potter. Is it not a fact that certain statements which now appear in your statement of specifications were made available to the press, or were printed in the press, several weeks prior to the time that the Members of Congress received the chronological outline of the order of events which you have submitted?

Secretary Stevens. That may be so, Senator Potter, but if so I don't

know how it was done.

Senator Potter. You have no knowledge as to whether that so-called leak came from the Army or from other sources?

Secretary Stevens. All I can say is that I can only speak for myself,

and I assure you that it did not come from me.

Senator POTTER. Have you heard that a leak had occurred in the Department of the Army concerning this chronological order of events before Members of the Congress received the report?

Secretary Stevens. Oh, you mean the chronology of events as finally

submitted to the committee?

Senator Potter. Not as finally submitted, but in its original form. Secretary Stevens. Will you repeat that question for me, Senator,

or can it be read by the reporter?

Senator Potter. The question is whether you had any personal knowledge as to whether members of your staff had leaked this information to the press prior to the time that the Members of Congress received the chronological order of events in its final form; I am speaking now of the information contained in its original form or as you cite in the files.

Secretary Stevens. I know, of course, that there was original form, as you call it, Senator, and I have heard that there were newspaper people who were aware of what was in that. But I personally didn't have a copy of it, and I certainly had nothing to do with any leak in

connection with it. I did hear rumors that it had leaked.

Senator Potter. Did you question any of your staff as to whether

they had leaked this information to the press?

Secretary Stevens. I didn't personally question them, no; but evidently from what you said it did leak. Who saw it and when, I don't know.

Senator Potter. I am sure you are familiar with the fact that it was more or less an open secret for a month that the Army had in its possession this report, and the fragmentary information that came to my attention—and, I assume, to the attention of other Members of Congress—was the basis for my request that, if the Army had this information, the committee certainly should receive it and take whatever action was necessary.

Secretary Stevens. Sure, I certainly agree with that, Senator. I know a number of people who saw the report that you are referring to. Evidently, from what you say, some newspaper people saw it. I

would be surprised if any of them had a copy of it.

Senator Potter. When did it come to your knowledge that the Department of the Army was keeping a chronological report of this controversy?

Secretary Stevens. It came to my knowledge after my return from

the Far East on the 3d of February.

Senator Potter. You had no knowledge of it prior to that time?

Secretary Stevens. That is correct.

Senator Potter. If I may switch to another subject, during the cross-examination this morning there was much discussion concerning the number of persons let out at Fort Monmouth because they were security risks.

Secretary Stevens. Yes, sir.

Senator Potter. How many of the men who were suspended as security risks were suspended without the Army having any prior knowledge that they were security risks until Senator McCarthy's committee started this investigation?

Secretary Stevens. Not a single one, as far as I can recall.

Senator POTTER. In other words, it is your testimony that the Army had a report, and they were investigating all the persons that were

later separated as security risks.

Secretary Stevens. As far as I know, that is correct; all of them. Senator Potter. I would like to revert to your statement which had some interest to me. I would like to ask this one question on your report of chronological events: How many other Members of Congress requested this report?

Secretary Stevens. I think that there was something like 8 or 10,

Senator.

Senator Potter. Eight or 10 Members of Congress?

Secretary Stevens. Yes.

Senator Potter. I think as long as my name has been brought into this question of asking for the report, I should state this: When I received the report, the only persons who saw it, other than myself, were Senator McCarthy, Senator Dirksen, and Senator Mundt. So

the publication of this report did not come from my office.

Mr. Stevens, I was interested in your statement in which I believe you made four points of the efforts made in behalf of the committee staff to secure preferential treatment for Mr. Schine. I note that efforts were made to release Mr. Schine from KP duty. Would you elaborate on that, because it happened that in my first 24 hours in the Army I served 17 hours on KP, and I have a little personal interest in how that could be done.

Secretary Stevens. Senator Potter, I can't give you the detail on that because I just don't have it. General Ryan, however, is available, and will testify if you wish him to, with respect to all the details of this matter. I personally have not been able to follow all the day-by-day activities of Private Schine or other privates in every camp that we have in the United States Army. We have some other problems we have to deal with too. General Ryan would be glad to give you the detail on that.

Senator Potter. Do you know whether Private Schine was relieved

from KP duty or not?

Secretary ŠTEVENS. It is my impression that he was relieved, but I am not sure of that. I would rather have General Ryan testify on it.

Senator Mundt. Senator Symington is recognized for 10 minutes. Senator Symington. Mr. Secretary, I have just a few questions

As I understand it, you testified that the draft boards, the records and the organization itself, are not under the Army, is that correct?

Secretary Stevens. That is correct.

Senator Symington. At a point you mentioned that the Army at Fort Monmouth is working with the Federal Bureau of Investigation in connection with espionage at Fort Monmouth. I do not want to take my 10 minutes in having you explain that to me, but I would appreciate your making up for the record some details with respect to that situation which you feel the public could know about. In other words, what was the nature of the relationship, how were they working with the Army at Fort Monmouth. Will you do that, please, for the report?

Secretary Stevens. Yes. Senator Symington, may I coordinate

that with Mr. Hoover of the FBI in doing it?

Senator Symington. Of course.

I would like to ask this question: Are you the head of the Army, or is General Ridgway?

Secretary Stevens. I am the head of the Army.

Senator Symington. Do you believe in civilian control of the military services?

Secretary Stevens. I do.

Senator Symington. Do you consider that it is the function of the Secretary to have the Department put in the best possible, most proper position with the Congress and the people?

Secretary Stevens. Yes, I do. Senator Symington. Would you consider it proper to do your best to have the Army, which you head, and yourself be in the best possible position with this committee?

Secretary Stevens. I am not sure I follow that, sir.

Senator Symington. I will repeat it. Would you consider it proper to do your best to have the Army, which you head, and yourself, to in turn be in the best possible position it can be with this committee? Secretary Stevens. I want to do the best I can along that line, sir,

with this committee and the other committees.

Senator Symington. Was your interest in stopping the committee's investigation at Fort Monmouth, or stopping the publicity, or both,

Secretary Stevens. I did not want to stop the investigation. I wanted to change the nature of the hearing, or at least to have the publicity that was given out come nearer to reflecting the actual facts than was the case at Fort Monmouth.

Senator Symington. Mr. Secretary, if a committee of the Congress with proper authority expresses interest in any particular situation, does not that mean that that particular situation is automatically expedited in the Army itself?

Secretary Stevens. Yes, sir.

Senator Symington. The next question I would like to ask, Mr. Secretary: As I understand it, you did not prepare these charges, is that correct?

Secretary Stevens. That is right.

Senator Symington. If you had prepared them—as I remember it, they were signed by your counsel, Mr. Welch-

Secretary Stevens. That is right.

Senator Symington. If you had prepared them following the questioning of the Chairman, would you have left the name of Mr. Carr out?

Secretary Stevens. Would I have left the name of Mr. Carr out? Senator Symington. Yes, as one of the three principals.

Secretary Stevens. No, I don't think so.

Senator Symington. I would like to say in Mr. Carr's interest, Mr. Secretary, that I wasn't very happy about your replies to those questions, personally. I do not know whether it is in order to say that.

Now I would like to ask this question: I believe you said that Mr. Schine was assigned to New York before November 10 and then the counsel said something about Mr. Schine not being in the Army until November 10. Clear that up for me, will you?

Secretary Stevens. The original plan was to put him on temporary duty with the First Army in New York on the day he was inducted, which was November 3. Shortly thereafter, Senator McCarthy indi-

cated that he would like to have that temporary duty in New York canceled, and thereafter Mr. Cohn indicated that as long as the week had moved along a certain length of time, he thought that Schine should stay off over the weekend in order to do committee work, and that was done.

Senator Symington. I did not mean to interrupt you. Had you

finished?

Secretary Stevens. Yes.

Senator Symington. I would like to ask the question another way, then: At the time you had the lunch in the Pentagon, was Mr. Schine in the Army or was he not?

Secretary Stevens. He was.

Senator Symington. My final question, Mr. Secretary: Whatever the agreement was with respect to Mr. Schine, why was it made and how was it violated? In other words, if it was agreed that Mr. Schine should be off every night, then why is there any complaint when he did get off? If it is not agreed that he should get off, then why did General Ryan have to telephone to get permission to get him off? There seems to be some difference there.

Secretary Stevens. Well, the agreement was that Mr. Schine was to be available for committee business, and frankly there seemed to

be a lot of committee business.

Senator Symington. Well, I don't wish to pursue it, but if an agreement was that he could be off for committee business, and the statements made were that he was going to be off for committee business, then why is it violation of an agreement?

Secretary Stevens. Well, perhaps there may be involved a question

of what is committee business.

Senator Symington. Well, who decided that is wasn't committee business?

Secretary Stevens. Who decided that it wasn't?

Senator Symington. Yes.
Secretary Stevens. Well, there was a further provision that it could not interfere with his training, Senator, and so, of course, with that provision General Ryan had that.

Senator Symington. That was part of the agreement?

Secretary Stevens. That is right.

Senator Symington. And the decision was made that the number of times he was asked to get off for committee business did interfere with his training?

Secretary Stevens. If it did, then he was not supposed to get off. Senator Symington. Well, did it, in your opinion, or General Ryan's

opinion?

Secretary Stevens. Interfere with his training?

I would rather have General Ryan testify on that because he actually

Senator Symington. I have no further questions, Mr. Chairman, at this time.

Senator Mundt. Senator Dworshak. Senator Dworshak. I have no question.

Senator Mundt. Mr. Welch, you now have 10 minutes and 3 micro-

Mr. Welch. At this moment, I want to ask only one question, which I unhappily dealt with in the form of a statement of my own. Is it a fact, Mr. Stevens, that the specifications that were drawn and signed by me as your counsel, were drawn without your active participation? Secretary Stevens. That is correct, on short notice.

Mr. Welch. And did you learn that Mr. St. Clair and I worked overtime and a way after dark on the night that they were prepared? Secretary Stevens. I did.

Mr. Welch. That is all at the moment. Senator Mundt. Now, Mr. Cohn.

Mr. Cohn. Mr. Stevens, there is one matter that concerns me very deeply here, and that is the matter of Frank Carr. I was one of those who, I might tell you, attempted to persuade him to give up one of the top jobs in the Federal Bureau of Investigation to come with our committee, and now in the specifications filed by the Army there is a charge that improper means were used to get preferential treatment for Mr. Schine by Mr. Frank Carr on October 2, 1953, in that Mr. Carr on that date, and I quote:

Sought to induce or persuade the Secretary of the Army to give Schine some kind of special assignment and some kind of special treatment.

Now, is that charge made by you true or is it false? I think in justice to Mr. Carr that should be acknowledged at this time.

Secretary Stevens. I just want to check the reading.

Well, Mr. Cohn, it is like I said before, in my mind, that Mr. Carr was not nearly as active in that conversation as you were, but he was there, and in my opinion took a lesser part in it.

Mr. Cohn. Mr. Stevens, will you tell Senator Mundt, please, sir, and the committee any one word that was spoken by Frank Carr

about Dave Schine on that day?

Secretary Stevens. I can't recall the exact words.

Mr. Cohn. Do you recall that any words were spoken by him about Dave Schine on that date?

Secretary Stevens. I recall that he, in a minor way, backed you up

in connection with the statements you were making.

Mr. Cohn. Mr. Stevens, is it not a fact that in the series of events, this 34-page report released by the Army, under date of March 11, 1953, in giving a detailed recital of what took place on October 2, you specifically said that all of the talking about Dave Schine had been done by me and you did not even mention Mr. Carr's name?

Secretary Stevens. I said that Mr. Carr played a minor part.

Mr. Cohn. Sir, I am trying to ask now whether Mr. Carr played any part, and if he did, I would like you to tell the committee just

what part he did play.

Senator Mundt. The Chair believes in fairness to all of the questioners, and it is perfectly proper that the witness have time to consult notes and counsel; that those consultations the timekeeper should take out of the 10 minutes so that nobody is deprived.

Mr. Cони. Thank you very much.

Senator McCarthy. Mr. Chairman-

Senator Munder. He is about to answer a question.

Senator McCarthy. While Mr. Stevens is consulting his notes may I explain to the Chair that I was absent for a number of minutes here because I was interviewing a witness whom I think will have information of tremendous importance to this committee, and I am seeing him again tonight, and I will give the Chair a report tomorrow morning.

Senator MUNDT. That statement will have to come out of Mr. Cohn's ten minutes, but that is all right.

Mr. Stevens.

Secretary Stevens. Well, my recollection remains as I have indicated; namely, that Mr. Carr took a minor part in this particular discussion.

Mr. Cohn. Mr. Stevens, in the Army events, and I want to start with this first; you are the only possible witness on your side as to this particular conversation, are you not, and the only three people who were present were yourself, Mr. Carr, and myself; is that right? Secretary Stevens. That is right.

Mr. Cohn. So that there—by the way, do you have a monitoring machine installed in your office to take down what is said?

Secretary Stevens. I do not.

Mr. Cohn. I see. So that the only three people there were yourself, myself, and Mr. Carr; is that right?

Secretary Stevens. That is correct.

Mr. Cohn. So that if there were any improper conduct by Mr. Carr, and if he had used any improper means to get preferential treatment for Private Schine or anyone else, you would be the only one in position to know that other than us; is that right? What I mean to say is you would be the only source of information for Mr. Welch, and the other people drawing up this account of what happened in your office on October 2, when only three people in the world, Secretary Stevens, Cohn, and Carr were present?

Secretary Stevens. That is right.

Mr. Cohn. I would now ask you, sir, whether or not it is a fact that when you gave a full account of what happened on that day in the Army event number 6, dated October 2, 1953, you specifically said that the discussion about Schine was stated by Mr. Cohn, and that there is no mention whatsoever of Mr. Frank Carr having participated in that conversation?

Secretary Stevens. Certainly, that is true; but that doesn't mean

that Mr. Carr didn't participate in the conversation.

Mr. Cohn. Are you now saying he did, sir?

Secretary Stevens. In my opinion, he did, that is my recollection. Mr. Cohn. Would you tell the committee what he said, please?

Secretary Stevens. I cannot tell you. I said you did most of the talking, and Carr backed you up in what I have referred to as a minor or lesser way.

Mr. Cohn. Can you remember one word that Mr. Carr said on the

subject of Schine?

Secretary Stevens. I say in a very minor way. Senator McCarthy. May I interrupt, Mr. Cohn?

Secretary Stevens, I have been trying to follow your answers, both to Senator Mundt and to other Senators, and Mr. Cohn, when asked you about this, and you say that Carr backed up Mr. Cohn.

Do I understand that you mean he backed him up by silence or

backed him up by conversation, and if he backed him up by conversa-

tion, then let us have the conversation.

Secretary Stevens. Well, first of all, he did nothing to stop the

Senator McCarthy. All right, now we have silence. From there let us go on.

Secretary Stevens. And secondly, Mr. Cohn did most of the talking, as the chronology indicates but Mr. Carr, in my recollection, also in a lesser way, a far lesser way, brought up the same thing.

Senator McCarthy. Look, Bob, you are accusing Frank Carr of

something very serious.

Secretary Stevens. That is right.

Senator McCarthy. You say that he tried to improperly influence you. Now, if he said something that was improper, we should know what he said. If he didn't say anything improper, and if you can't remember anything improper, then you should tell us. Let me say this: I think that you are trying to give us an honest account.

Secretary Stevens. That is right.

Senator McCarthy. Some of my friends don't agree with that, I

Mr. Cohn. I am not one of those, Senator.

Senator McCarthy. I think it is only fair to ask of you to tell us what Frank Carr did that was improper.

Secretary Stevens. Well-

Senator McCarthy. What you are doing here, Bob, you are asking a young man to be discharged from his job because of improper conduct. And you can't tell us what it is.

Secretary Stevens. Well, Senator, the Department of the Army has put in this bill of particulars, and I think that there will be other material that will come before the committee that will bear on this.

Senator McCarthy. Just a moment. If Mr. Cohn will yield for a moment, you say the Army put in this bill of particulars. No. 1, may I have it, the Army did not put in the bill of particulars. You and Mr. Adams put in the bill of particulars, and we are talking about one specification on or about October 2. That is a conversation between you, Mr. Carr, and Mr. Cohn, and here is what your bill of particulars says. It says:

On or about October 2, 1953, Mr. Cohn and Mr. Francis Carr, executive director of the subcommittee, while discussing detailed plans for the conduct of investigation by the subcommittee at Fort Monmouth, N. J., sought to induce or persuade the Secretary of the Army to arrange for the assignment of Mr. Schine to a post in the New York City area, upon his induction into the Army, on the ground that it was considered desirable by Mr. Cohn to have Mr. Schine available for consultation with the staff of the subcommittee to complete certain work which was alleged Mr. Schine was familiar.

Now, the only witness other than Mr. Carr and Mr. Cohn who can testify to that is yourself.

Secretary Stevens. That is right.

Senator McCarthy. This specification must be based upon your statement, I assume, to your counsel?

Secretary Stevens. That is right.

Senator McCarthy. Now, just for your own benefit, and I am not trying to entrap you at all, I think the Secretary will agree with me on that, on page 226, Mr. Secretary, Mr. Jenkins asked this question:

Did Mr. Carr make any statement whatever insofar as your recollection enables you to answer that question?

Secretary Stevens. Do you mean with respect to David Schine? Mr. Jenkins. Did Mr. Carr make any statement at that conference, and did he intercede for Schine?

Answer-this was only last Friday, Bob-

I do not recollect that he did, I think the conversation on Schine was entirely—was entirely—

with Mr. Cohn.

Now, I think you should tell us today whether you are changing that testimony, and if so why, and why since Friday only a matter of a limited number of hours you suddenly want to implicate Frank Carr in this.

Has something occurred to make you change your mind?

Secretary Stevens. Well, Senator, of course as I ponder over these events and attempt to probe my memory and get the facts before the committee—

Senator McCarthy. Could I ask the young man to move to one side so I can see the witness, or if he can get down a little lower. Will you do that?

Senator Mundt. Go ahead.

Secretary Stevens. As I say, Senator, when one is probing a memory, as hard as I am probing mine, in order to get all of the facts before this committee, you do sharpen up things as you go along. I didn't in that direct examination, I couldn't recollect any specific thing that Frank Carr had said on this particular date, and I cannot recollect the specific thing now.

Senator McCarthy. Mr. Secretary, can I interrupt you, here is a most serious charge made against my chief of staff, a young man with a record of 10 years with the FBI, head of their subversive squad. And you make this charge, and you say that Frank Carr improperly tried to influence you. You do that in your specifications 1 day.

Senator Mundt. Senator, your time is finished.

Senator McCarthy. I would like to finish the question so when it comes around he can answer. You make the charge 1 day that Frank Carr did something improper and then you appear, under oath, and you say he said nothing. And then 3 days later you say yes, maybe he said something, and maybe he didn't, and you don't know, and you think he did, and maybe it was his silence.

Now, I won't have a chance to ask you questions again for about 90 minutes. In the meantime, I wish you would have your counsel or someone ponder that question and try it and give me an answer to it.

Senator Mundt. Mr. Jenkins.

Mr. Jenkins. Mr. Stevens, I will ask you this question by way of further cross-examination: Did Senator McCarthy ever at any time threaten you in case you did not do things for Schine?

Secretary Stevens. No, sir.

Mr. Jenkins. Did he ever use any vituperative language?

Secretary Stevens. No, sir.

Mr. Jenkins. Did Mr. Cohn ever at any time make any threats against you if you did not do the things for Schine that he asked you to do?

Secretary Stevens. According to my information, to which I have

testified, he made some threats against the Army.

Mr. Jenkins. But did he personnally ever make any threats to you? Secretary Stevens. Personally to me? No.

Mr. Jenkins. I take it that you mean the threat or alleged threat at Fort Monmouth on October 20? Are those the threats to which vou refer?

Secretary Stevens. That is part of them; yes, sir.

Mr. Jenkins. A declaration of war? Secretary Stevens. That is right.

Mr. Jenkins. And a further complete investigation of the Army?

Secretary Stevens. That is right.

Mr. Jenkins. Did you ever communicate those threats to his boss, his superior, Senator McCarthy? Secretary Stevens. I think Senator McCarthy knew all about

them, I would think.

Mr. Jenkins. I didn't ask you that. Did you ever yourself con-

vev those threats to Senator McCarthy?

Secretary Stevens. I did not personally, but Senator McCarthy was right there on the occasion at Fort Monmouth when this all happened.

Mr. Jenkins. I believe that Senator McCarthy was in the labora-

tory with you, was he not?

Secretary STEVENS. That is right.

Mr. Jenkins. When this alleged explosion took place?

Secretary STEVENS. That is right.

Mr. Jenkins. You did not tell Senator McCarthy what you understood Mr. Cohn had said on that day?

Secretary Stevens. I didn't personally tell him, no.

Mr. Jenkins. The Secretary of Defense is your immediate superior, is he not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Did you convey those threats to him or inform him that such threats had been made, Secretary Wilson?

Secretary Stevens. I don't think that I did, probably.

Mr. Jenkins. Did you convey them to the Commander-in-Chief of the Army?

Secretary Stevens. To-

Mr. Jenkins. To the President? Secretary Stevens. No, sir.

Mr. Jenkins. Did you convey that information to anyone?

Secretary Stevens. Oh, yes, sir, people within my own organiza-

tion who knew about it.

Mr. Jenkins. Mr. Secretary, you have told about tendering your plane to Senator McCarthy and the members of his staff to go to Boston, is that right?

Secretary Stevens. Yes, sir.

Mr. Jenkins. What was the date of that?

Secretary Stevens. That was on the 17th of November.

Mr. Jenkins. How did you return to Washington?

Secretary Stevens. The Maguire Air Force Base there was kind enough to send me down on a small plane they had there.

Mr. Jenkins. You tendered the services of your regular plane to the Senator and his staff to use in being conveyed to Boston on that occasion?

Secretary Stevens. I don't have a regular plane.

Mr. Jenkins. The plane that you initially went up in?

Secretary STEVENS. This is a United States Air Force plane that comes out of what they call the pool.

Mr. Jenkins. What was the purpose of that, Mr. Secretary, if it

wasn't to court favor with this committee?

Secretary Stevens. The purpose of it was to cooperate and make it possible for Senator McCarthy and his staff to get to Boston at some reasonable hour. They had committee business there the next morning.

Mr. Jenkins. That was on November 17?

Secretary Stevens. That is right.

Mr. Jenkins. After these threats had been made by Mr. Cohn, you ay?

Secretary Stevens. That is right.

Mr. Jenkins. And after all of this controversy had been going on between you and the committee for weeks and weeks?

Secretary Stevens. That is right.

Mr. Jenkins. In your specifications No. 8, which were filed, as I recall, on the 13th of this month, it is stated thusly, and I ask you to refer to specifications No. 8 in your bill of particulars:

These requests were coupled with promises to limit or terminate hearings of committee on Fort Monmouth—

Secretary Stevens. Wait until I catch this. What is the number, sir?

Mr. Jenkins. No. 8. Will you now read to the committee your specification No. 8 filed against the McCarthy investigating committee?

Secretary Stevens. "On or about November 6", sir? Is that the one you mean?

Mr. Jenkins. Specification No. 8, if you will read that.

Senator Mundt. Of your presentation dated April 13. Perhaps you are looking at the wrong memorandum.

Mr. Jenkins. Not the events, but the specifications.

Secretary Stevens (reading):

On or about November 6, 1953, Senator McCarthy, Mr. Cohn, and Mr. Carr sought to induce and persuade Secretary Stevens and Mr. Adams to arrange for the assignment of Private Schine to New York City to study and report evidence, if any, of pro-Communist leanings in West Point textbooks. Mr. Cohn, in the presence of and with the consent of Senator McCarthy and Mr. Carr, sought to induce and persuade Secretary Stevens and Mr. Adams to arrange to make Private Schine available for subcommittee work while he was undergoing basic training at Fort Dix, N. J. These requests were coupled with promises reasonably to limit or to terminate subcommittee hearings on Fort Monmouth.

Mr. Jenkins. In other words, that was the consideration they offered you. In their request of you to assign Schine to the New York area, the inducement or consideration offered you on that occasion, according to you, was to limit or terminate hearings of the committee on Fort Monmouth, is that correct?

Secretary Stevens. No, sir; I wouldn't say that was correct.

Mr. Jenkins. Is that not what is stated there, that they offer you a consideration with promises to limit or terminate the hearings of the committee on Fort Monmouth? Is that not what you have said in that specification?

Secretary Stevens. I have been talking about the hearings, Mr. Jenkins, not the investigation. I have tried to make it clear—

Mr. Jenkins. To limit or terminate the hearings of the committee on Forth Monmouth. That is the consideration offered you, is it not, Mr. Stevens, according to you?

Secretary Stevens. It is the hearings that I have been complaining

about, not the investigation.

Mr. Jenkins. Does not that indicate that you wanted these hearings—isn't it further evidence that you wanted these hearings terminated?

Secretary Stevens. I have testified that I wanted the hearings gotten under control so they would not have the very bad effect that they

were having, both in the public mind and on the Army.

Mr. Jenkins. I believe you further testified that you wanted the hearings as well as the investigation suspended.

Secretary Stevens. No, sir.

Mr. Jenkins. You have not thus testified today?

Secretary Stevens. No, sir, not the investigation, sir. The investigation, I said, should continue on, and I would make progress reports from time to time.

Mr. Jenkins. Then you deny that that statement in your specification No. 8 indicates that you wanted the hearings limited or termi-

nated? You deny that?

Secretary Stevens. I said that—I think I used the language that I thought that the Fort Monmouth hearings had served their purpose. In other words, they pointed the thing up, they focused the Army's attention on this matter. We were getting into it. We wanted the investigation to carry on, but to let us handle the thing unless and until we demonstrated that we couldn't handle it and clean this situation up.

Mr. Jenkins. Do you know why Senator McCarthy or his staff would have said to you, "Now you assign Schine to the New York area or let him study the context of the West Point textbooks, and if you will do that we will limit or terminate the hearings of our committee on Fort Monmouth"? Do you know why they would have held out such a consideration to you if you had not previously asked for it?

Secretary Stevens. As I said—I seem to have difficulty, Mr. Jenkins, in trying to make this point clear—at the meeting in New York on the 14th, at the luncheon, I got the impression that Senator McCarthy and his committee were about ready to turn this investigation, the prosecution of this investigation, over to the Army. We are now talking about the 6th of November. My thought was if they had anything in mind along about the 14th of October of turning the investigation over to the Army, certainly by the 6th of November that would be true.

Mr. Jenkins. Mr. Chairman, I have no further questions.

Senator Mundt. Mr. Secretary, I dislike to revert to this discussion about Frank Carr, but I think that I should temporarily do so, in justice to Mr. Carr; because part of the reason for asking for specifications on both sides of this was so that this committee could know specifically what it was that was being charged against each one of the principals, so that the principal could in turn respond and reply to the charges.

When we had General Smith and General Reber here, I think they both testified in your presence that they did not consider it improper for Members of Congress or individual citizens or friends or relatives of inductees to request consideration for a commission provided that they felt that they had the qualifications for a commission.

Do you share that reaction as expressed by Generals Reber and

Smith 9

Secretary Stevens. I think it is perfectly all right for it to be asked for, one time.

Senator Mundr. So that merely being present at a meeting where such a commission was being solicited would not, I take it, in your opinion, comprise on the part of Mr. Carr the utilization of improper means?

Secretary Stevens. Well, Senator, I am trying my best. And one thing I don't want to do is I don't want to be unfair to Mr. Carr or anyone else.

Senator MUNDT. I am sure that that is correct.

Secretary Stevens. I want to have it exactly, the truth out just exactly as it was. I cannot recall specific language by Mr. Carr. I therefore have to go on my recollection of the meeting in which the conversation with respect to Mr. Schine was definitely led by Mr. Cohn, and in my opinion Mr. Carr in a much lesser way was interested in the same thing.

Senator Mundt. You keep using the phrase, I believe, that Mr.

Carr played a minor part.

Secretary Stevens. Yes, sir.

Senator Munder. Now, I ask you, sir, if we leave it as ambiguous as that, just how are we going to find out from Mr. Carr, when he is a witness, whether or not he played that minor part which you seem unable to define.

Don't you think in justice to him that you should search your memory to the point where you discover what minor part he played or else insofar as your testimony is concerned state that you are not endeavoring to implicate him as being guilty of improper methods?

Secretary Stevens. Mr. Chairman, I agree with that completely. I think that I certainly should search my memory to the very limit of my ability and I can assure you that that is what I am trying to do. I dislike to the nth degree to say or do anything that would be unfair to anybody like Mr. Carr.

Senator Mundt. Thank you. Because it is almost impossible for this committee to interrogate him about the charges until they are de-

fined; you appreciate that.

Very well. I am not sure, Mr. Secretary, that this question should be directed to you, and if it should not you may tell me to whom it should be directed. But in your statement on page 152 which you read on Friday, you said that Schine had obtained 15 passes from the post, and that the majority of new personnel received only 3 passes. Are you in position to tell us why those 15 passes were procured, and what for, and in response to what pressure, and what he did at the time he took those passes?

Secretary Stevens. I am not personally. But we have witnesses

that will be available.

Senator Mundt. Will you name the witness to whom I should direct those questions?

Secretary Stevens. I would say General Rielly and—

Senator MUNDT. General Rielly and—

Secretary Stevens. Yes.

Senator Mund. I want to read you now the telegram that you included in your testimony, dated March 12, and it is the telegram which you stated you received from Senator McCarthy. That is on page 161 of the transcript.

In view of news stories this morning, re Cohn and Schine, would appreciate if you would make it clear to the press that the only time you and I ever discussed the subject of a commission for David Schine was in his presence, at which time I urged and you fully agreed that his case had to be treated the same as the case of any other draftee, and that we agreed that any other handling of the case in view of the investigation of the Army, would be extremely bad for the committee and the Army, and that David Schine was present and fully agreed with us in the matter.

Your only comment in your statement was that the "important thing to note is that he admits having taken up with me the matter of a commission for Schine." The Chair agrees that that is important, and he thinks it is also important to know whether or not the statements contained in that telegram were correct or incorrect.

Secretary Stevens. I think that they are incorrect, in the latter

part of the telegram.

Senator Mundt. Will you point out where the inaccuracies or the

inadequacies were?

Secretary Stevens. Because I don't think Senator McCarthy—I have no recollection of Senator McCarthy, and I would have had a recollection of it, stating that all of this business, it could all be handled just like everybody else. That part of the telegram is not in accordance—

Senator Mundr. To the best of your recollection, he never made

any such statement?

Secretary Stevens. That is right.

Senator Mundr. Otherwise the telegram is correct? That is the

statements in the telegram?

Secretary Stevens. I have, I believe, testified to the fact that Senator McCarthy on at least one occasion, took this up. He states here "that the only time," and I am not prepared definitely—

Senator Mundt. It would not make any difference in the chairman's

mind from "the only time" or "at least once."

Secretary Stevens. Well, I mean—

Senator Mundt. Unless you are sure there was a second time.

Secretary Stevens. Yes.

Senator Mundr. Are you sure there is a second time?

Secretary Stevens. I am not testifying to that effect now, sir, no. Senator Mund. To the best of your present recollection, the statement in the telegram is correct, except the parts to which you have already drawn our attention?

Secretary Stevens. Yes, including that reference to "only took it

up one time." I am not subscribing to that at this time? Senator Mund. Are you denying that at this time?

Secretary Stevens. No. sir.

Senator Mundr. You are just saying you are not sure?

Secretary Stevens. That is right.

Senator Mundt. There has been a lot of testimony about Fort Monmouth, and the fact that some of the personnel employed in the defense establishments may have been guilty of subversive conduct. May I ask, are some or most of the secret devices which are developed

in the laboratories at Fort Monmouth ultimately processed or fabricated by private defense establishments?

Secretary Stevens. A lot of it is; yes, most of it.

Senator Mundt. So that if unhappily there are subversive elements in private defense establishments working on the processes developed at Fort Monmouth, that would be placing the security of our country in jeopardy, would it not?

Secretary Stevens. That is right, and that is the point that came up at the luncheon on November 6, when I said this was a problem

for the whole Defense Establishment.

Senator Mundt. One other question. On page 245, we have had a lot of discussion about the apology or explanation or whatever word most aprpopriately fits your conversation in which you said you tried to calm down Mr. Cohn. You have said nothing up to now as to what Mr. Cohn might have said in response. Did your explanation placate him, or was he as irritated as ever after you concluded? Secretary Stevens. From where I sat, I couldn't hear that he

said anything, and if he did it was not within my hearing.

Senator Mundt. This explanation must have been made to him in his hearing?

Secretary Stevens. Oh, yes, sir.

Senator Mund. You directed your remarks to him?

Secretary Stevens. That is correct.

Senator Mundt. And as far as you can recall, he did not say anything?

Secretary Stevens. I didn't hear him say anything.

Senator Mundt. Could you tell by looking at him whether he seemed placated or whether his irritation was there?

Secretary Stevens. I think maybe it helped a little, but I think Mr. Cohn was still very provoked.

Senator Mundt. Senator McClellan?

Senator McClellan. To get this back in proper perspective, I have listened to this testimony and, according to my recollection of it there are some eight specific requests and different requests, requests of a different nature, for preferred treatment for Mr. Schine. I want to ask you about these. I will try to ask you in their chronological order as I remember the testimony, and I will ask you to answer and state whether they are true.

The first request that came to you was for a direct commission in

the Army; is that correct?

Secretary Stevens. Yes, sir.

Senator McClellan. The second request was for a direct commission in one of the other branches of the service; is that correct?

Secretary Stevens. That was another occasion. I am trying to

think of the chronology of it, Senator.

Senator McClellan. Maybe the chronology is not all-important.

Secretary Stevens. That is correct.

Senator McClellan. Such a request was made.

Secretary Stevens. Yes, sir.

Senator McClellan. The third I have here is a commission in the intelligence service under Mr. Dulles, and you said you went over yourself to try to secure that for him.

Secretary Stevens. That is right.

Senator McClellan. That is three. The fourth I have here is that if he was inducted into the service, they wanted him then reassigned to the committee to do committee work. Was that a request for a permanent reassignment to the committee?

Secretary Stevens. There were several requests. One was for tem-

porary duty in New York——
Senator McClellan. I know about the temporary duty, but I understood from the testimony—if I am wrong I want to be corrected—that there was a request when he got into the service to be reassigned to the committee, to serve the committee as he had before.

Secretary Stevens. No, sir.

Senator McClellan. Is that true? Secretary Stevens. No, but there was a request when he got into the service to have him assigned directly to New York without basic training.

Senator McClellan. I know that. But there was no request for him to be reassigned back to the committee to serve the committee?

Secretary Stevens. No, sir.

Senator McClellan. I was mistaken about that. Then there was a request that he be assigned to the New York area.

Secretary Stevens. Yes, sir.

Senator McClellan. What service was he to perform there under that request?

Secretary Stevens. One suggestion was to check West Point

textbooks.

Senator McClellan. That was a letter request, was it not? What was he to do when he was first to be assigned there and when the chairman changed his mind about it and said that he considered that it might not be well to do that—what was he to do on that first request?

Secretary Stevens. That was to do committee work. Senator McCarthy. A point of order, Mr. Chairman.

Senator Mundr. State your point of order.

Senator McCarthy. There is no testimony, Senator McClellan—I am sure you are mistaken on this—that the former chairman ever asked Mr. Schine to be assigned to the committee or that he ever changed his mind. The only testimony on that is that when I heard he was assigned to the committee I requested he not be assigned to the committee.

Senator McClellan. This may have been in the preinduction period that he was to be assigned there. You testified—someone has testified, and I think you—that later the information came to you, I think through Mr. Cohn, that the chairman had changed his mind about that and thought it might not be advisable because the press would get hold of it and make something out of it. Didn't you so testify?

Secretary Stevens. Yes, sir. I learned about that from Mr. Adams. Senator McClellan. Anyway, you learned of that. You have so testified. I know it is in the record somewhere.

Secretary Stevens. Yes, sir.

Senator McClellan. All right, that is another request.

The fifth I have here I believe was to be assigned to New York or assigned to West Point to check the textbooks at West Point with respect to any Communist propaganda in them; is that correct?

Secretary Stevens. Yes, sir.

Senator McCarthy. Senator McClellan, I don't want to impose on your 10 minutes, but I just wonder as a personal favor if you would request of the Secretary, and make it very clear, that at no time did I ever request that Mr. Schine be assigned to my committee, that the only conversation I ever had with the Secretary was when I called and told him it would be a great mistake to draft a man and assign him back on the committee.

Senator Mundr. Points of order will not be counted against the

10 minutes.

Senator McClellan. I am asking the Secretary to testify. I am asking him the questions. I assume he will undertake to state the facts. That is all I want. I am trying to get the number of different requests for what may be or may not be preferred treatment for Mr. Schine. I have mentioned five of them.

The sixth one, I believe, was that you have testified that he wanted special privileges after he was in the service in that he was to be given liberty or was to be given leave contrary to the general leave granted

to other enlisted men.

Secretary Stevens. That is right.

Senator McClellan. You granted that.

Secretary Stevens. For committee work, yes, sir.

Senator McClellan. I think you testified, unless I am wrong about this, that Mr. Schine himself suggested to you that he would make a good Undersecretary or Assistant Secretary of the Army, did he, when he drove you over to camp that morning?

Secretary Stevens. Words to that effect, yes, sir.

Senator McClellan. So it adds up to about seven specific requests. Did anybody follow up Mr. Schine's request to you about how well he could serve you in your office? I don't want that charged against anyone else if no one else followed that up. Was any such request ever made of you or any suggestion made to you by either Mr. Cohn or Mr. Carr or Senator McCarthy with respect to that, that you take him in your office?

Secretary Stevens. Yes, sir; Senator McCarthy. Senator McClellan. Senator McCarthy did?

Secretary Stevens. That is right.

Senator McClellan. So we have established here at least definitely seven special requests for assignments for privileges for Mr. Schine.

Senator McCarthy. A point of order, Mr. Chairman.

Senator Munder. The Senator will state his point of order.

Senator McCarthy. I wonder if the Secretary would make the record clear as to whether I asked for an assistant secretaryship or under secretaryship for Mr. Schine.

Senator McClellan. That is what I asked him.

Senator McCarthy. I would like to know which. State which it

Secretary Stevens. He said that he thought it would be a good idea to make use of what he called Dave Schine's special qualifications, and in that connection he suggested either as a special assistant to me on matters of communism or as a special assistant to the Chief of the Intelligence Division of the Staff, our G-2.

Senator McClellan. Then for special assistant instead of just

assistant?

Secretary Stevens. Special assistant.

Senator McClellan. Is that the only difference? Secretary Stevens. Well, I didn't get the idea that he suggested

that he should be made Assistant Secretary of the Army.

Senator McClellan. Well, I wanted to clarify it. He was to be made a special assistant to you but not Assistant Secretary of the

Secretary Stevens. That is correct. Senator McClellan. Is that correct?

Secretary Stevens. Yes, sir.

Senator McClellan. Now let us clear it as to Mr. Schine, also. Did Mr. Schine request that he be made a special assistant to you, or as an Assistant Secretary of the Army?
Secretary Stevens. Not an Assistant Secretary of the Army, a spe-

cial assistant to me.

Senator McClellan. A special assistant?

Secretary Stevens. Yes, sir.

Senator McClellan. So that no request was made of you to make him an Assistant Secretary of the Army?

Secretary Stevens. No request.

Senator McClellan. All of the requests were as special assistants to you, to perform a specific service.

Secretary Stevens. That is right, sir.

Senator McClellan. That was in connection with his alleged qualifications as Communist investigator, is that correct?

Secretary Stevens. That is correct.

Senator McClellan. Did you look into his qualifications to determine whether he was suitable to perform that service in your

Secretary Stevens. No, I felt that no young man of draft age should be brought into my office as a special assistant on anything.

Senator McClellan. So you did not undertake to inquire into his

qualifications?

Secretary Stevens. Not for that purpose, no, sir.

Senator McClellan. Not for that purpose. Now, let me ask you, reverting back to my former questioning at the other 10-minute period that I had, you did have and you do have the authority if you want to do it, to overrule the subordinates to whom the applications are referred if they reject an application for a direct commission; as Secretary you have the authority if you want to exercise it, to overrule their decision and to order a direct commission granted, do you not?

Secretary Stevens. I am sure I must have that power, Senator.

Senator McClellan. You do have that power?

Secretary Stevens. That is the way I understand it, yes, sir, that I could do it, but it is academic with me because I never would do it. Senator McClellan. You never would do it?

Secretary Stevens. No.

Senator McClellan. All right, if you had done it in this case, do you think that that would have satisfied the request?

Secretary Stevens. Well-

Senator McClellan. What I am pointing out, the implication is here, you just as well face it, sir, the implication is here that you were trying to buy off this committee from investigating the Army.

Now, if that is true, you did have the authority to grant the commission, and order it granted, didn't you?

Secretary Stevens. Yes, sir.

Senator McClellan. You refused to go that far?

Secretary STEVENS. I certainly did.

Senator McClellan. Now, if you were undertaking to influence them, and that was your purpose, and all of these associations with them and permitting all of these, what you are terming, impositions on your about special requests, then you did have the power to grant what they were seeking, didn't you?

Secretary Stevens. I did.

Senator McClellan. Is that correct?

Secretary Stevens. That is correct, Senator McClellan.

Senator McCarthy. A point of order.

Senator Mundt. The Senator's time has expired, and I will listen

to the point of order.

Senator McCarthy. I think that question is completely improper and unfair and the implication is that this chairman could have been bought off. All of the evidence is that this chairman could under no circumstances have been bought off on this investigation.

Senator McClelan. You can take whatever you want from it, but the implication is here, and he has been questioned about it, as to his efforts to try to stop an investigation; and I am asking him the question if that was the purpose according to implications of questions that have been asked him he did refuse to do what he could have done that might have satisfied the situation.

Senator McCarthy. Mr. Chairman, a point of order. I just want to point out that the implication there is that the chairman could have been bought off, and there is no evidence that this chairman ever could have been bought off any hearing, and never will be bought off

any hearing.

Senator Munder. May the Chair remind the audience that they are here as the guests of the committee and there will be no manifestations of approval or disapproval. That is the first violation that we have had from the audience, and I am not going to ask at this time that the officers remove from the room those participating, but I am going to ask that hereafter without further instructions from the Chair those violating our standing orders, the officers will kindly correspondingly remove them from the room.

Senator Dirksen.

Mr. Welch. I believe it is a point of order. It is that it is 4:40 p. m., and I am a strong believer in union hours when I am working in a courtroom.

Senator Munder. May the Chair say that at the request of his colleagues on the committee who have not gone around the table the second time, he has suggested that each member of the committee be given his additional 10 minutes; unless I am overruled by the committee, of course, your point of order will be sustained. But I would like if we could give those at the edges of our committee the same opportunity those in the center have had.

Mr. Welch. I bow to that.

Senator Mundt. We will try to go around the table including your 10 minutes and then Senator McCarthy and then recess.

Senator Dirksen. Mr. Secretary, I assume that if passes were granted to private Schine, that they were in writing from day to day, very likely, and signed by his immediate commanding officer.

Secretary Stevens. I think they were.

Senator Dirksen. Was there any formal memorandum to the commandant at Fort Dix sugesting that he be given passes day after day to carry on committee assignments?

Secretary Stevens. No, sir.

Senator Dirksen. There is nothing in writing then to cover that

Secretary Stevens. No, sir.

Senator Dirksen. Was there anything in writing with respect to

assignment to kitchen-police duty?

Secretary Stevens. As I say, Senator Dirksen, I really don't know. I just haven't been able to follow all of the details of Private Schine and other privates, and General Ryan I am sure will be able to answer those questions. But I just can't do so because I don't have the information.

Senator Dirksen. But insofar as you and General Ryan are concerned, there is no written memoranda covering weekend passes, nonassignment to KP duty, and that sort of thing?

Secretary Stevens. No, sir. Senator Dirksen. That was all verbal, if there was an understanding?

Secretary Stevens. That is right.

Senator Dirksen. Now, Mr. Secretary, I want to return to one matter that came up last week. There are 96 Senators. Can you, in a general way, state how many times you have received telephone or other requests from other Members of the Senate on either side of the aisle, with respect to direct Reserve commissions in any branch of the Army?

Secretary Stevens. I cannot recall a single instance personally. Senator Dirksen. Let us put it on this ground, and say, were the

request many, or were they few?

Secretary Stevens. So far as my knowledge of it is concerned, almost total absence of them. In other words, I don't recall a single call by a Senator to ask me for a direct commission.

Senator Dirksen. Now, would those requests more properly go to

the Adjutant General, General Bergen?

Secretary Stevens. They would go first into our Office of Legislative Liaison.

Senator Dirksen. General Reber?

Secretary Stevens. Yes, and then they would be processed around and based on the qualifications, and in due course the information would come back to General Reber, or Colonel Houck, currently Colonel Houck's office, and he would get back in touch with the Senator.

Senator Dirksen. The question has only two purposes, and that is this: By contrast to decide what the situation was with respect to other

requests for commissions?

Secretary Stevens. Yes, sir.

Senator Dirksen. And secondly, the general practice that is in-There has been some comment in the press and in the columns to the effect that this may have run into the thousands, and I am trying to reconstruct my own recollection over a longer period of

time which covers nearly 20 years in the House and in the Senate, to decide how many times I may have called the Army or the Navy in the interest of a commission. And if I ever did, I want it known to all of the world that you are free if there is any telephone call to cover it, to lay it right out on the table. And I shall freely confess my sins in public, if that is the case, because I don't want to do that which is improper or ever get to the point where we have a political Army.

Now, I have an idea that I have called the Army on some cases. Offhand, I wouldn't remember what they are. Offhand, I would say that I don't think that I have pressured too much, although I shouldn't make that confession in public, because some of my constituents who might be interested in commissions might feel that I am not doing my duty if I don't pressure you. But, having been a private in the Army long ago, and having been a humble shavetail long ago, I can readily understand the attitude of people. But I am just wondering now about the general practice of Members of both the House and the Senate calling either the heads of the various military establishments, the heads of the various bureaus, or the Secretaries themselves, what the practice is, and to what extent they do bear down and what the comparison would be between those and the instant case that is before us, insofar as the allegation and the testimony are concerned.

Secretary Stevens. I can't recall another instance of where Senators have called in connection with a commission. Certainly there

is nothing with any pressure attached to it.

Senator Dirksen. So your answer would be that the number of calls that you have received, by and large, are rather few in number?

Secretary Stevens. Very few. Senator Dirksen. And devoid of pressure, generally.

Secretary Stevens. That is right.

Senator Dirksen. In other words, they are more nearly the nature of an inquiry?

Secretary Stevens. That is right. Senator Dirksen. In the hope, perhaps, that the situation is such

that there might be favorable consideration given?

Secretary Stevens. Senator Dirksen, I am speaking as the Secretary, you see, and I am not speaking to the communications that may go into the Office of Legislative Liaison. I am talking about the standpoint of the Secretary, what pressure is the Secretary under from the standpoint of and in the matter of direct commissions in the Army. And I would say in my experience that practically none.

Senator Dirksen. I talked to General Reber about it on occasions, I am sure, and we always like to maintain pleasant relationships with your liaison officers. But I am wondering, out of your conversations with your bureau heads, with the other Secretaries, Secretary for Air and Secretary for the Navy, whether out of the general information that has come to your attention there have been many requests, much pressure, or whether the statements that one has seen in the press from time to time are not on good ground.

Secretary Stevens. Well, I, of course, can only speak for the Department of the Army, of my firsthand knowledge, and I have had practically no pressure, as I have said, and I think if there had been any substantial pressure in the Air Force or the Navy I would have known about it, because Secretary Talbert and Secretary Anderson

are both good friends of mine. We meet regularly, and a thing like

that would undoubtedly have come up, Senator Dirksen.

Senator Dirksen. To be more specific, Mr. Secretary, I have great regard for Dave Lawrence, of the U. S. News & World Report. He is a very objective and factual reporter. It runs in my mind that he did do a column recently in which he indicated that this whole story ought to be made public about all the requests that have been referred to the Army, Navy, and Air Force by Members of the House and Senate in behalf of commissions, compassionate discharges, and that sort of thing.

I would just like to know the truth of it, now, whether we are such sinful people that we have been trying to convert this into a political Army, because if we have, I want to do penance and get on sack cloth and ashes right now. So you make a general statement on that, Mr. Secretary, if you will.

Secretary Stevens. I see no evidence of making it a political Army at all, Senator Dirksen. There is a large volume of matters that are handled by the Office of Legislative Liaison which handles incidentally, correspondene from all kinds of sources in large volume, mostly inquiries for information. If it got to be a case of tremendous pressure, I would think in due course I probably would know about it.

Senator Dirksen. Whether this question is particularly germane to the instant inquiry, I leave for counsel to decide and object if he sees fit, but has the custom grown up when a Senator or a Congressman calls with reference to a matter of this kind, that a little note is inserted in the file with just two letters on it, "P. I."; and that doesn't mean Philippine Islands, that means "political influence." Are those inserted in the files when requests are made for commissions?

Secretary Stevens. I have never seen one.

Senator Dirksen. That answers the question, I think.

Senator Mundr. May the Chair say that he has consulted with the members of the committee, and out of deference to our union friend from Boston, we are going to resume in the morning with questions

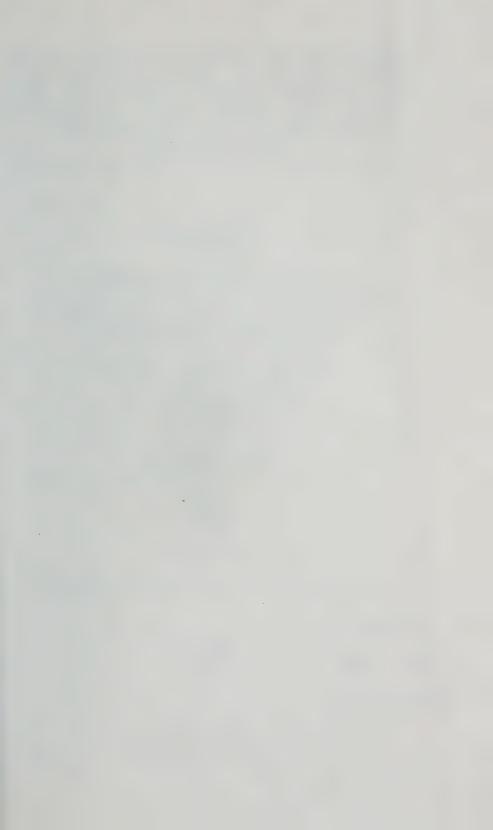
from Senator Jackson, and will adjourn at this time.

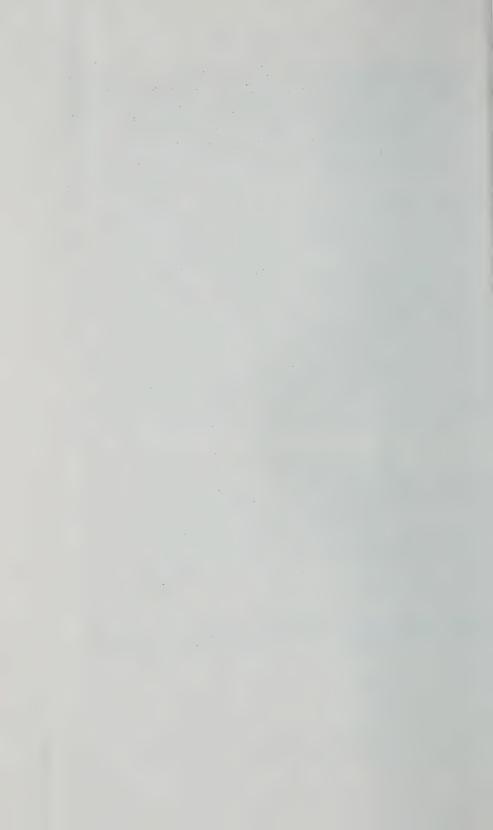
May the Chair have the attention of the Secretary long enough to be sure that we understand, as I think I am correct, that during the interim you are going to search your mind concerning Mr. Carr, and in the morning either particularize the charge or withdraw it against Mr. Carr.

Secretary Stevens. I am certainly going to search my mind and

try to do that.

Senator Munder. We stand in recess until 10:30 tomorrow morning. (Whereupon, at 4:55 p.m., the hearing was adjourned until 10:30 a. m., Tuesday, April 27, 1954.)





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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

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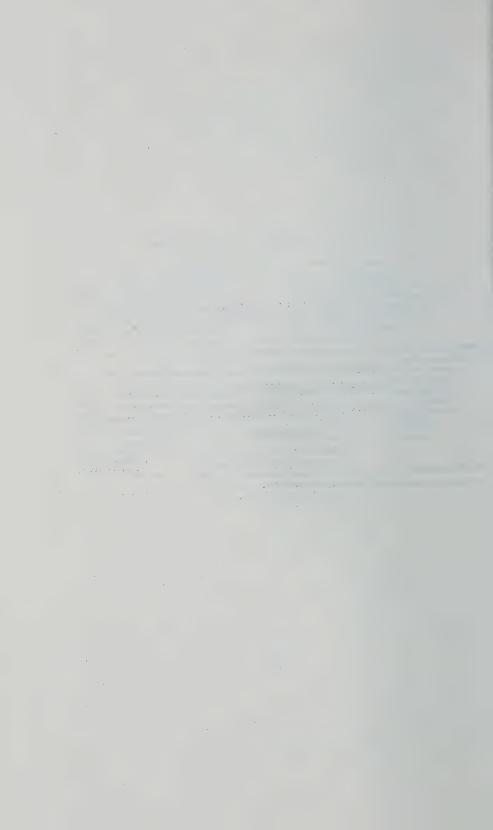
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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

TUESDAY, APRIL 27, 1954

United States Senate,
Special Subcommittee on Investigations of the
Committee on Government Operations,
Washington, D. C.

The subcommittee met at 10:30 a. m., pursuant to recess, in the caucus room of the Senate Office Building, Senator Karl E. Mundt

(chairman) presiding.

Present: Senator Karl E. Mundt, Republican, South Dakota; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, Chief Counsel to the Subcommittee; Thomas R. Prewitt, Assistant Counsel; Ruth Y. Watt, Chief Clerk.

Also present: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, Counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator Mundt. The committee will please come to order.

We left off yesterday afternoon with Senator Jackson about to interrogate the witness, and the understanding was we were to resume at the point at which we left off.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Senator Mundt. The Chair recognizes Senator Jackson. Mr. Welch. Mr. Chairman, I don't know what it is, but it is a point of something.

Senator Munder. If it is a point of order, you may state it.

Mr. Welch. My point of order is that Mr. Jenkins yesterday was imposed upon, and so was the Secretary of the Army, by having a

doctored or altered photograph produced in this court room as if it were honest.

Senator MUNDT. This is a committee room.

Mr. Welch. And produced as if it were honest. I have the photograph that was offered yesterday in evidence, and in respect to which

Mr. Stevens was not only examined but cross-examined.

I show you now a photograph in respect of which I charge that what was offered in evidence yesterday was an altered, shamefully cut-down picture, so that somebody could say to Stevens, "Were you not photographed alone with David Schine," when the truth is he was photographed in a group.

Mr. Jenkins, I would like to say with all of my power, sir, I know you would never participate in a trick like this, but I suggest to you that you were imposed upon. I would like now to offer the picture that I have in my right hand as the original undoctored, unaltered

piece of evidence.

Senator Mund. The Chair would certainly feel that your point of order was appropriate, and the original undoctored and unaltered picture will be entered as evidence.

(The photograph referred to above was marked as "Exhibit No. 2"

and will be found in the files of the subcommittee.)

Mr. Jenkins. Mr. Chairman, may I say this: That the original photograph which was presented to the Secretary yesterday on cross-examination is the identical photograph that was furnished me by one of the parties in interest in this case, and I might say an adverse party of interest to Mr. Stevens, as being the genuine, authentic photograph, with no intimation or insinuation that it had been cut down or that any other person photographed had been taken out of it. I presented it in good faith, as authentic evidence.

I just wanted my position clear.

Senator McClellan. Mr. Chairman, I don't want to be unduly technical, but this last picture has not properly been adduced in evidence. There has been no one testifying and the counsel for the Army has made a statement that it is authentic and genuine, but there is no evidence that it is the original and it is genuine.

It may appear so, but I think if we want to carry these proceedings as we are undertaking to, properly, evidence should be introduced

before the picture is made a part of the record.

Mr. Jenkins. It is certainly a matter that may be brought out by Mr. Welch on cross-examination. I agree with Senator McClellan entirely.

Mr. Welch. I think perhaps members—

Senator McCarthy. I agree with Senator McClellan, and I think we should have the third man identified, and we should have Mr. Welch sworn and have him tell how the picture has been doctored, if it has been doctored. I am curious to know how. I think the fact that there is a third man in here, if this is an accurate picture—and I assume it is—the third man should be identified.

Again, Mr. Chairman, I suggest that Mr. Welch, if he is going to make charges such as he has, should be put under oath and tell

how this was doctored, and who doctored it.

Mr. Jenkins. Again I say, Mr. Chairman, those are matters that Senator McCarthy may likewise bring out on cross-examination.

Senator Mund. Very well. The point of order certainly has been sustained as a point, and, Mr. Welch, your picture is now before us, along with the one which you allege is doctored. In cross-examination and in sworn testimony, we should be able to determine the correct situation concerning the picture.

May we proceed, then? Do you wish to be heard further on the

point of order?

Mr. Welch. No. I think the official photographer——Senator Symington. Let the counsel answer the question.

Mr. Welch. The official photographer at the McGuire Air Force Base who took the picture that I just produced has been sent for, or is now being sent for, and he will testify to the facts that I have called to the attention of this committee.

Senator Mund. That will take care of the matter being introduced in sworn testimony, and so we will defer it until such time as the committee calls the photographer or someone who can testify under

oath.

Mr. Welch. One more word, Mr. Chairman—

Senator McCarthy. Mr. Chairman—

Mr. Welch. Of course, immense speed was required to prove or get the evidence that we now have in this court room, and the picture that I produced is scarcely dry, and it was not in my power as a lawyer to get all of the proof ready to offer this morning, as I would have liked to do.

Senator Mundt. I am sure, Mr. Welch, that the committee will be in session for at least the rest of the week, and we will have an opportunity to take some of their

tunity to take care of that.

Senator McCarthy. Mr. Chairman— a point of order. Mr. Chair-

man. May I have that picture?

Mr. Chairman, Mr. Welch has made the statement under the guise of being a point of order that this picture was doctored, and I look at it now and I don't have the other picture before me. May I have it? Mr. Welch. This is the doctored picture.

Senator McCarthy. I think, Mr. Chairman, when counsel for Mr.

Adams and Mr. Stevens and Mr. Hensel——

Senator Munder. May the Chair request the photographers to com-

ply with the rules.

Senator McCarthy. Mr. Chairman, couldn't we have an understanding here that when I start to make a point of order that I may finish without interruption.

Senator Mundr. Make a point of order and then speak to it.

Senator McCarthy. The point of order is this: That Mr. Welch under the guise of making a point of order, has testified that a picture is doctored. I now have before me, and I may say this: Yesterday was the first time I saw either of these pictures, the picture that was introduced yesterday and the one Mr. Welch puts in today, and he makes the completely false statement that this is a group picture, and it is not.

Senator Mundt. Counsel advises the Chair, may I say. Senator McCarthy. May I finish my point of order?

Senator Mundr. Counsel advises the Chair that the Senator is engaging in a statement or cross-examination rather than a point of order.

Senator McCarthy. I am getting rather sick of being interrupted in

the middle of a sentence.

Senator Symington. I would like to say if this is not a point of order, it is out of order. The counsel says it is not a point of order and it is not a point of order, if the counsel says it is not a point of order.

Senator McCarthy. Oh, be quiet.

Senator Symington. I haven't the slightest intention of being quiet. Counsel is running this committee and you are not running it.

Senator McCarthy. Mr. Chairman, do I have the floor?

Senator Mund. The Chair has the floor, and nobody is endeavoring to determine whether or not Senator McCarthy is speaking to a point of order.

Will you state your point of order and then speak to it?

Senator McCarthy. Mr. Chairman, may I suggest that when I start to say something, I not be interrupted in the middle of a sentence, and that Mr. Symington and no one else have the right to interrupt unless he addresses the Chair, and unless the Chair recognizes him. I am getting awfully sick of sitting down here at the end of the table and having whoever wants to interrupt in the middle of a sentence.

Now, Mr. Welch made a statement and I raised a point of order that it was not a proper point of order that he raised, and that he said this picture was doctored, and may I suggest to the Chair as a point of order in fairness to Mr. Jenkins, or whoever produced the picture,

that Mr. Welch point out wherein the picture was doctored.

I can see no doctoring, except that a Colonel Bradley, who will be a witness here, his picture was not included. When Mr. Welch under the guise of a point of order said this was a group picture, I suggest that the Chair make the record clear that Mr. Welch was not speak-

ing the truth, and that the only change—

Mr. Jenkins. I am sorry to interrupt the Senator from Wisconsin. I agree with the Senator from Wisconsin that Mr. Welch did not make a point of order, and I further make the statement that the Senator from Wisconsin is not making a point of order; both of those gentlemen were making positive statements of facts which properly come under the head of proof and should be properly made by those gentlemen or their witnesses under oath, and I think that that should be made perfectly clear to both Mr. Welch and Senator McCarthy, and that we should now proceed with the testimony of Mr. Stevens.

Senator McCarthy. Mr. Chairman—

Senator Mundt. The Chair has the floor, I am sorry. And the Chair has already ruled that the testimony on the photograph should be given to us under oath, and Mr. Welch has been advised of that, and you have been advised of that, and all parties will have an opportunity to bring in witnesses and to testify under oath on the whole allegations about the photograph, the original, whether it was doctored or not.

So that there is no point of order involved, and counsel has pointed out both Mr. Welch's statement and the statement of Senator McCarthy are a bit out of order, but the situation is a bit unusual, and consequently we have simply ruled that all testimony on the picture

will be given under oath.

Senator McCarthy. Mr. Chairman——Senator Mundt. Do you have a point of order?

Senator McCarthy. Call it a point of order or call it what you may, when counsel for Mr. Stevens, and Mr. Hensel, and Mr. Adams makes a statement and he is allowed to do it without interruption, and if that statement is false, do I have a right to correct it, or do we find halfway through my statement that Mr. Welch should not have made his statement and therefore I cannot point out that he was lying?

I think that is an important question.

Senator Mundr. The Chair has made the statement that neither statement is under oath, and each of you will have an opportunity to testify under oath on the matter in hand.

Senator McCarthy. Just one more question, Mr. Chairman.

Would not it be proper for the chairman at this time to point out for the record the difference between the two pictures submitted?

Senator Mund. No, that is something that will be done under oath by the parties in interest. It is not a function of the Chair to deter-

mine which picture is correct.

Senator Jackson. A point of order, Mr. Chairman. Do I understand that there will be witnesses called to testify under oath to identify the photographic circumstances with reference to both pictures, the one introduced yesterday and the one introduced today?

Senator Mundt. There are witnesses available, I believe.

Senator Jackson. I believe that is an appropriate point of order. Senator Mund. They will be called and they will be subject to cross-examination.

Senator Symington. I would like to make a point of order, myself. The reason that I protested the continuation of that talk was because the counsel had stated twice, and I had heard it, that what was being said was not a point of order, and I believe that if we are going to keep these hearings at the proper level, of the dignity of the Senate, we have to follow the rulings of the counsel.

Senator Mund. The Chair has followed the rules of the counsel. The Chair in his desire to be equitable, having heard Mr. Welch on what was construed to be a point of order, felt it was only fair to give Senator McCarthy the same right to comment. For that reason,

he gave him a little more latitude than he would otherwise.

Senator Symington. Mr. Chairman, I again say the reason I raised the point was because I heard the counsel say twice that in his opinion it was not a point of order.

Senator Mundt. Senator Jackson has the floor.

Senator Jackson. Secretary Stevens, could you tell the committee when the Army started the investigation of personnel at Fort Monmouth?

Secretary Stevens. Of course, Senator Jackson, that is a continuing process. It goes on year after year. As I indicated yesterday, we have been collaborating with the FBI in regard to Fort Monmouth for a considerable period of time, and I will submit some information on that particular point which I do not yet have ready.

Senator Jackson. Did you know that the FBI was investigating

it in 1953?

Secretary Stevens. Yes, sir.

Senator Jackson. I mean, did the Army know? I do not mean did you know personally, but I mean appropriate officials within the Department of the Army.

Secretary Stevens. Yes, sir.

Senator Jackson. Was that early in 1953 or the middle of 1953?

Secretary Stevens. I would say it was fairly early in 1953.

Senator Jackson. At the time you learned of the Senate committee investigations of Monmouth and the proposed investigation, can you tell the committee whether the Army was then investigating personnel at Fort Monmouth?

Secretary STEVENS. We were.

Senator Jackson. You were investigating personnel?

Secretary Stevens. Yes, sir.

Senator Jackson. If I understand your testimony correctly, there was a total of 35 people at Fort Monmouth that were suspended.

Secretary Stevens. That is correct.

Senator Jackson. Am I correct in understanding that six were suspended prior to October 8 by the Army as poor security risks?

Secretary Stevens. They were suspended after investigation as

security risks; ves, sir.

Senator Jackson. Yes. What I meant to say is, suspended as possible security risks.

Secretary Stevens. Correct.

Senator Jackson. Alleged security risks?

Secretary Stevens. Yes, sir.

Senator Jackson. Then subsequent to October 8—I believe October 8 was the date of the opening of the McCarthy hearings.

Secretary Stevens. The formal hearings; yes, sir.

Senator Jackson. The formal hearings in executive session?

Secretary Stevens. Yes, sir. Senator Jackson. Subsequent to October 8, 29 were suspended as possible security risks?

Secretary Stevens. That is correct.

Senator Jackson. Making a total of 35?

Secretary Stevens. Yes, sir.

Senator Jackson. Of these 35, were all of them under investigation

by the Army?

Secretary Stevens. As far as I know, Senator Jackson, they were: but I would have to check to make sure that was true in respect of

everyone. I think it was true in respect of every one of them.

Senator Jackson. Did I understand your testimony correctly yesterday that the additional 29 beyond the 6 that had been suspended prior to October 8 were suspended at the outset of the hearings because, while you had not had full time to go over the files of these people, you felt that because the hearings were underway you should suspend them nevertheless?

Secretary Stevens. No, sir, not because the hearings were underway; because we expedited or looked at these people. As I said yesterday, in the case of a certain number of these people the suspension took place a little bit sooner than it otherwise would have, but we did not arbitrarily make the suspensions because the hearings had opened.

Senator Jackson. Do I understand the loyalty proceedings to be that before you make a suspension you make a pretty careful check into the allegation before you make a suspension, and then you proceed to have the hearings after the suspension?

Secretary Sterms. S. That is right, yes. We must have some reason-

able basis for suspension.

Senator Jackson. Let's just clarify the point. The point is that you do suspend people without a hearing if the allegations against them would indicate that, if proven, they might be dangerous security risks?

Secretary Stevens. You stated it exactly correct. Senator Jackson. Suspensions are made by the Army and other Government agencies prior to formal hearings of the individuals involved?

Secretary Stevens. That is right.

Senator Jackson. I wonder if you could tell the committee, of these 35, are any of them alleged to be Communists? I do think this testimony to be important. It has been injected and injected into the hearings, and I am trying to get in my own mind—I have read about it in the newspapers and I have heard a lot about it, but I am confused.

Secretary Stevens. Senator, I don't feel—I don't have personally the information right at this moment to answer that question as to what the allegations might be in respect of all 35 cases. I just don't

have that in my head.

Of course, it is available, and to the extent that we can properly

bring it before the committee, we will be glad to do so.

Senator Jackson. I wonder this, Mr. Stevens: Would you be good enough to give to the committee a statement without reference to the individuals's names, the general nature of the allegations against them, and a summary of the action taken to date by the Army, for example, whether any of them have been reinstated, whether some of them have been fired, how long it will be before there is a determina-

I make this request of you, Mr. Stevens, because this matter has been kicked around in the newspapers, it has been discussed here in the committee; the American people, I think, are pretty confused. No one knows the true nature of the situation with reference to these

35 people.

I do believe that it would be helpful if the Army could submit a statement outlining the present status of the Fort Monmouth situation as to the suspended personnel for the open hearing. I think it might be well to give to the counsel of the committee also a classified statement which could not be released, but only for their guidance and for information, if such were necessary, because of classified material.

Secretary Stevens. Senator, we would like to submit anything that you want and, within the limits of the Presidential directives that

apply, we will do so.

Senator Jackson. I am not asking you to name the individuals, you understand. I am making this request in order to clear up statements made in this hearing, testimony that has been given. The American public, I think, certainly has a right, in view of the fact that much of this has come out in the hearings, to know just what is the situation with reference to the 35 personnel that are now under suspension or have been previously suspended by the Army at Fort Monmouth.

Secretary Stevens. All right, sir, we will prepare a statement. Senator Jackson. Now may I turn for a moment to some of the

questions of yesterday with reference to Mr. Carr.

As I understand it, your counsel, Mr. Welch, submitted a statement of allegations.

Secretary Stevens. That is right.

Senator Jackson. Alleging a number of charges or making a number of charges. Are those charges being made by you and Mr. Adams and anyone else? Who is competent to testify as to the allegations contained in counsel's statement? That is in addition to Mr. Stevens, who have knowledge of the events that are alleged to have taken place in connection with those allegations?

Mr. Welch. Mr. Chairman, I observe the Senator is looking at me. Senator Mundt. You are not a witness and you cannot testify; you

may raise a point of order.

Mr. Welch. If the inquiry was directed at me, I will answer and not otherwise.

Sonator Mr

Senator Mund. The Chair does not construe the counsel has become a witness.

Senator Jackson. The point is that the allegations are signed by

Senator McCarthy. A point of order.

Senator Munds. I think the Secretary has to answer the question,

he is the only witness who has been sworn.

Senator Mund. It seems to me testimony has to be sworn, and if you are going to insist the counsel becomes a witness, the Chair will swear him.

Senator Jackson. Mr. Stevens, the Army principals in this case are yourself and Mr. Adams, I take it, in addition to Mr. Hensel who is from the Department of Defense, is that correct?

Secretary Stevens. Yes, sir.

Senator Jackson. Now, as I understand it from your testimony yesterday, you have no direct knowledge of any statements that Mr. Carr made directly about any of the allegations contained in the statement of complaint filed by Mr. Welch.

Secretary Stevens. Only to the extent that where I was involved,

Senator Jackson.

Senator Jackson. But as I understand it, Mr. Carr was present at these various meetings, and I believe your testimony yesterday was to the effect that you had an impression originally that he may have commented on certain requests made by Mr. Cohn or Senator McCarthy, but that you had no direct recollection of any specific requests or statements that Mr. Carr made.

Secretary Stevens. That is correct.

Senator Jackson. Now, do I understand, or do you know, if you can so testify, whether Mr. Adams has that information? You see the statement of allegations from the Army, and I cannot tell from the statement of allegations as to who is informed on these specific charges, whether it is you or Mr. Adams.

Senator Mundr. The Senator's time has expired, and he may continue to pursue those questions when his time comes around again.

Senator Potter.

Senator Potter. Mr. Secretary, during the questioning yesterday concerning your allegations toward Mr. Carr, I believe you stated that you had no recollection of anything that Mr. Carr said at that meeting, and I believe it was November 6, is that correct?

Secretary Stevens, October 2. Senator Potter. October 2? Secretary Stevens. Yes.

Senator Potter. Has your memory been refreshed since the meeting yesterday concerning any positive activity on the part of Mr. Carr at that meeting, which would cause you to include him as one of the participants in the alleged pressure for preferential treatment on

behalf of Private Schine?

Secretary Stevens. Well, Senator Potter, I have searched my memory, and my conscience, and I have also talked with Mr. Adams who is to be a witness here, and if the only evidence in respect to Mr. Carr was the happenings of October 2, and if I were his judges, as you are, I would acquit him. But there is more evidence to come, and I think that his fate must await the end of the case when all of the evidence is in.

Senator Potter. I am sorry, are you through?

Secretary Stevens. Mr. Carr telephoned Mr. Adams in respect to Schine on many occasions.

Senator McCarthy. A point of order, Mr. Chairman.

Secretary Stevens. He relayed mesages from Mr. Cohn to Mr. Adams.

Senator Mund. State your point of order.

Senator McCarthy. In view of the fact Mr. Adams is one of the principals, I make a point of order it is entirely improper for Mr. Stevens to testify what Mr. Adams is going to say.

Secretary Stevens. All I am trying to do is give the committee the

answer to this question.

Senator Mundr. Just a moment, the Chair wants to counsel with counsel.

Mr. Jenkins. Mr. Chairman, Mr. Stevens is Secretary of the Army, and he cannot in the very nature of things have personal knowledge of everything about which he testifies. His very conduct, his thoughts, and actions are all under scrutiny, and he is entitled and must necessarily, upon many occasions, rely upon information given to him by his subordinates.

I think it is entirely proper for the Secretary of the Army to state and to give information conveyed to him by his subordinates and his

ssociates.

Senator McCarthy. Mr. Chairman, a point of order.

Mr. Stevens is being questioned about a conversation when Mr. Adams was not present, and his testimony on that has been completely contradictory, and I make a point of order that in order to bolster that contradictory testimony, he cannot quote what Mr. Adams has told him about other conversations; and, Mr. Chairman, the further

point of order is that his answer is not responsive.

Mr. Potter was asking him about a specific conversation, on October 2, and I think Mr. Jenkins is correct if one of his subordinates could aid him in answering that question, good. But no subordinate was present and no subordinate knows anything about that conversation, and either Mr. Stevens is telling the truth when the bill of particulars was made out, and I assume he didn't make it himself, or he was telling the truth the other day in answer to Mr. Jenkins' question.

Mr. Jenkins. May I ask, for my guidance, that the question and the answer be read by the reporter? Frankly, I was talking to Sen-

ator Jackson and did not hear it.

Senator Mundr. The Chair will ask the reporter to read the question and the answer so that we may determine whether the point of order stands.

Senator Potter. I assume that you will instruct the timekeeper

that this doesn't come out of my 10 minutes.

(Whereupon, the reporter read the questions and answers as above

recorded.)

Mr. Jenkins. I must in all good conscience reverse myself, Mr. Chairman. The answer to that question does not reflect upon the conduct of the Secretary of the Army, and he was being specifically questioned as to whether or not he, the witness now, had any knowledge of any statement made to him by Mr. Carr, and he says that he has none, and he goes further and he says that there are other witnesses.

I think the Secretary is entirely correct in his statement that at this time this committee should not exonerate or render a verdict of not guilty against Mr. Carr because all of the proof is not in and this committee cannot necessarily judge of the guilt or innocence of any party,

so to speak, until all of the proof is in.

I reiterate I do not think it proper in view of the specific inquiry, and the bounds to which it is confined, for the Secretary in answer to Senator Potter's question to state what other people know about Mr. Carr because those other people are present and available as witnesses.

Senator Mundt. On the advice of counsel, therefore, the Chair will

uphold the point of order raised by Senator McCarthy.

Senator McClellan?

Senator McClellan. May I make this observation for what I consider the benefit of all and the further orderly procedures of this hearing. We must bear in mind that the word "competency" with respect to evidence is not a part of the rules of this special hearing; only the word "materiality" and the word "relevancy." The word "competency" was purposely omitted from the rules after it was discussed by us at the time we were formulating the rules, and much testimony might be material or relevant, and yet would be incompetent in a court of law. We have to bear that in mind as we conduct these hearings.

Senator Jackson. One point of order, Mr. Chairman.

Senator Mundr. Senator Jackson?

Senator Jackson. I am sure this is a point of order.

It is my understanding that hearsay evidence is admissible here, although it would be incompetent as Senator McClellan previously made the point. This is a point of order to the chairman. It is my understanding that while hearsay evidence, of course, is not admissible in a court of law to be offered for the truth of the matter asserted, hearsay evidence is admissible in this proceeding, provided witnesses will be called later to corroborate or to testify as to the statements made by third parties. Is that correct?

Senator Mundr. That is correct. Counsel has pointed out that in this instance we have a witness who is here to testify, and the question

might better be directed to him.

Senator Jackson. Yes; but I do not want to be confused on the rules. Mr. Jenkins. May I clarify my statement, Senator Jackson? Hearsay testimony is certainly competent in an inquiry of this nature

in instances where a principal party involved must necessarily rely upon what has been told him by his subordinates and his associates, and in instances where he acts upon that and where he is entitled to. That has been the rule followed thus far.

Carrying it further, Senator McCarthy will certainly be entitled, when he takes the witness stand, to state what was told him by his

associates, the members of his staff.

My point is that, as far as this particular inquiry is concerned, it is directed at the Secretary of the Army to determine whether or not there should now be given a clean bill of health to Frank Carr. That does not lie within the province of the Secretary of the Army. It lies within the province of this committee.

Senator Jackson. I agree with that statement 100 percent.

Mr. Jenkins. He is asked specifically what Frank Carr told him, with the idea that perhaps there should now be a vote on the guilt

or innocence of Mr. Carr.

Very properly, therefore, I think that the Secretary should be confined to what, if anything, he heard Mr. Carr say, and I think the Secretary very properly stated that he did not feel that a clean bill of health should be given Mr. Carr at this time.

Senator Symington. A point of order, Mr. Chairman. Senator McCarthy. Mr. Chairman, a point of order.

Senator Mundt. State your point of order, Senator Symington. Senator Symington. Yesterday there was a great deal of testimony—I ask this for clarification—a great many questions were asked Mr. Stevens with respect to Mr. Carr. The counsel for Mr. Stevens pointed out that under the urging of this committee and its counsel, he had worked very late at night, without Mr. Stevens present. My impression was, based on the way he said it, that he himself had made the charges, and that he had gotten them up and shipped them in rapidly.

The first paragraph included the name of Mr. Carr with Senator McCarthy and Mr. Cohn. Mr. Stevens said that he was not up exactly

on what had been said.

What I would like to ask is: Inasmuch as Mr. Welch has and Mr. Stevens in effect has stated that primarily the reason for Mr. Carr's being in these charges was because of what Mr. Adams' relationship was with Mr. Carr as against Mr. Stevens' relationship, then why is it not proper for Mr. Stevens to bring that up as he discusses the matter this morning?

Those are said in laymen's words, and I am not a lawyer, although I will be one before this hearing is over. Nevertheless, I would like

to ask what is wrong about that point?

Mr. Jenkins. Senator Symington, it is proper for Mr. Stevens to state that in the preparation of these charges and the inclusion of Mr. Carr as a party in interest, he relied upon what he considered reliable information; but I do not think it is proper for him to state what the information was, because witnesses are available to sustain that.

Senator Symington. Another point of order, Mr. Chairman. Senator Mundr. Do you have another point of order, Senator

Senator Symington. In order to clarify my mind on the situation, when will we have the witness and who will the witness be who will clarify the situation that Mr. Stevens was trying to clarify?

Senator Mundt. That is a point of order. It is one I cannot answer. Senator Potter has the floor. The point of order has been upheld. Senator McCarthy. Mr. Chairman.

Senator Mundr. The point of order has been upheld.

Do you have a point of order?

Senator McCarthy. Yes. In this round robin, I also have something to be brought up as a point of order, if you can call it points of order.

Senator Mund. The Chair must insist that points of order deal with relevancy and materiality.

Senater McCarthy. Let's wait until I finish and let the Chair decide

that, if you don't mind.

Senator Mundt. State your point of order.

Senator McCarthy. I would like to make the point of order that counsel has made, I am sure, an honest mistake—he is doing an excellent job here—he has made the statement that Mr. Stevens was asked about the guilt or innocence of Mr. Carr. That is not correct. Mr. Stevens was asked the simple question what his recollection of what occurred on October 2 was. I don't think it is up to Mr. Stevens to pass upon guilt or innocence, if such is involved in this case. I think, therefore, his deviation was highly improper, and I think that Mr. Stevens should be ordered by the Chair—at least I would so advise him—that he stick to answering the question. We could save all this hasseling if he does.

Senator Mundt. Senator Potter has the floor, and he may proceed. Senator Potter. Mr. Chairman, I hadn't intended that my question raise such a conference, and I won't ask the Secretary as to what conversation took place between Mr. Carr and Mr. Adams, because Mr.

Adams will be a witness before the committee.

I would like to ask you this, Mr. Secretary. In your bill of particulars you stated that Mr. Cohn contacted you many times regarding Private Schine in an effort to secure certain advantages for Mr. Schine. Mr. Cohn, as an individual seeking better treatment for his friend—would that be an improper action?

Secretary Stevens. In my opinion, it would.

Senator POTTER. As an individual, whether it be Roy Cohn or whether it be Charlie Potter?

Secretary Stevens. He was chief counsel for this committee.

Senator Potter. I am referring, Mr. Secretary, to an individual by the name of Roy Cohn, asking you for better treatment for his friend, Dave Schine. That act in itself—would that be improper?

Secretary Stevens. If pursued to an unreasonable length, I think it

would be.

Senator POTTER. Do you consider the alleged effort made by Senator McCarthy as an individual Senator, not as chairman of this committee but as an individual Senator, asking for special treatment for Dave

Schine—do you consider that an improper action?

Secretary Stevens. I think it was a most unusual action, Senator Potter, the instances that I have testified to here in which Senator McCarthy was involved. But we must also bear in mind, as I think I have indicated before, that a great deal, a major portion of this pressure was coming from Cohn. It was coming from Cohn, as I viewed him, as chief counsel of this committee under the chairmanship of Senator McCarthy.

Senator Potter. Then is it your contention, Mr. Secretary—

Senator McCarthy. A point of order, Mr. Chairman.

Senator Mundr. The Senator will state the point.

Senator McCarthy. It is directed at Senator Potter. I am sure the Senator did not intend to do this. He has just made the statement in his question that McCarthy is asking for special privilege for Schine.

Senator Potter. I believe I said "alleged."

Senator McCarthy. I know you did not intend to do it, but I think the record should be straight.

Senator Mund. The word "alleged" will appear because Senator

Potter thinks he included it. He may continue.

Senator Potter. Now, Mr. Secretary, am I correct in stating that it is your contention that the alleged activity by Senator McCarthy and Mr. Cohn was done as representatives of the investigating weapon of the Senate rather than as individuals? Is that your contention?

Secretary Stevens. Yes, sir.

Senator Potter. Now, Mr. Secretary, the countercharge that has been made by Senator McCarthy and Mr. Cohn and Mr. Carr, that you, the Army, used Mr. Schine as a hostage in order to curtail the investigations at Fort Monmouth—now first, is that allegation true or false?

Secretary Stevens. False.

Senator Potter. Now, in other words, here we have been discussing for several days, mainly technical points, but the question resolves itself into these two factors: First, the allegation made by the Army that Senator McCarthy, Roy Cohn, and Mr. Carr, not as individuals but as representing a weapon of the United States Senate, the investigating arm, put unusual pressure on the Army in order to secure preferential treatment on behalf of David Schine.

Second, the charge made by Senator McCarthy, Mr. Cohn, and Mr. Carr, that the Army, members of the personnel of the Army, have used Mr. Schine as a tool in order to halt the investigation of subversives at Fort Monmouth—now as you see it, is that the essence, the core, of this particular hearing? If it is not, we are wasting a lot of

time.

Secretary Stevens. With your permission, Senator Potter, I would like to have a look at that question because-

Senator Mundt. We cannot let you look at it, but we can have it

Secretary Stevens. I do not know whether I can answer it even after it is reread.

Senator Munder. You can make notes on it if you want to while the recorder reads it.

(The question was read by the reporter.)

Senator Potter. Do you concur with that, Mr. Secretary?

Secretary Stevens. I think, as I said, it is a big question, Senator Potter, and I do not know that it is up to me to testify. It seems to

me that the committee-

Senator Potter. My point is this, Mr. Secretary: That we are wasting the time of the members of the committee and members of the Department of the Army to ascertain what Roy Cohn said to John Adams, or what Senator McCarthy said to you, which is in essence immaterial unless the power and authority of the Senate were misused which is a serious thing; or by the same token, unless people in the Army misused their public trust in order to keep from having an

investigation.

Now, as to the various chitchats between various members of this committee and the committee staff, with members of the Army, they are unimportant. Also unimportant in my opinion are the times that Roy Cohn as an individual called you or called members of the Army to get better treatment for his friend, David Schine. That may not be proper, but it is something that certainly this committee should not be concerned with nor with the fact that Senator McCarthy had many talks with you concerning David Schine. The only circumstance under which I can see that it would be of importance to this committee would be in case the power and influence of this committee had been used improperly or if the Army has used their trust of office improperly in order to evade a congressional investigation.

That is all I have to say, Mr. Chairman.

Senator Mundt. Were you asking that in the form of a question?

Very well, Senator Symington.

Senator Symington. Well, Mr. Chairman, first I would like to get something cleared up in my mind. Senator Jackson asked a question and it was somewhat technical. The counsel for Secretary Stevens attempted to answer it, and you told him that he had to be sworn if he was going to answer. Now, Secretary Stevens is not a lawyer, and I would like to know what the rule on that is. Do we want the information or do we want to stick to legal technicality, in which case why don't we swear Mr. Welch now so he can answer questions for the committee that Mr. Stevens is not capable of answering?

Senator Mundr. The Chair is simply operating under our basic rule, that all testimony in these hearings should be sworn testimony. Mr. Welch is here, as I understand it, as counsel and not as a witness.

Mr. Welch. Mr. Chairman, I thought the inquiry was directed to the question of who will be the next witness, or am I wrong? I was prepared to say who would be the next witness, if that was proper.

Senator Jackson. Now, the purpose of my question, just for clarification, is that the bill of complaint, shall we call it, filed by the Army and signed by Mr. Welch as counsel does not indicate which witnesses will testify from the Army regarding the allegations contained in paragraphs 1 through 29. That was my only point. I could not tell in reading through the allegations whether Mr. Adams has the knowledge about certain allegations or whether the Secretary of the Army has, and I was trying to clarify the record from yesterday.

Senator Symington. I have made my point.

Senator Mundr. Senator Symington has the floor.

Senator Symington. I hope we sometimes are broadminded with respect to the legal technicalities, if in being broadminded we have further success in obtaining the truth.

Now, yesterday there was some testimony, and I would like to read

it on my time.

Mr. Jenkins. Mr. Stevens, did you ever have your photograph taken with Mr. G. David Schine?

Secretary Stevens. Well, there were a lot of photographers around down there at that hearing, and it could be.

Mr. Jenkins. But did you ever at your suggestion at a meeting any time anywhere say, "I want my picture taken with David," and have it done?

Secretary Stevens. I am sure that I never made a statement just like you made it there. I mean, if there was a picture being taken and there were

people around, I might be very apt to say, "Well, let's all step in here and have our picture," but I don't think I ever made any demand to have my picture taken with Mr. David Schine.

Now I call attention to the next question.

Mr. Jenkins. I did not say "demand," but was your picture, after David Schine was drafted, ever taken with you alone at your suggestion anywhere?

Now, Mr. Chairman, I have great respect for this counsel, as have others who expressed it this morning, and I do not believe he would have answered that question in that way if he had not been misled by this picture. The point I want to make is not only are there three people in this picture, but there is a fourth because you can see a hand and a coat of a civilian. I think it very important in the interest of fairness that we be told sometime in public hearing all about this picture.

Naturally, it put Mr. Stevens in a bad light because it looked as if he were defensive when he tried to figure in his mind whether he had ever asked to have a picture taken alone with Mr. Schine or whether

he had ever had his picture taken alone with Mr. Schine.

Based on the evidence yesterday afternoon, this committee was attempting to prove through its counsel that he had had his picture taken along with Mr. Schine. Based on the evidence presented this morning, it is obvious that at least from the standpoint of this picture he had the right to hesitate because his picture was not taken alone with Mr. Schine.

My last question, Mr. Chairman, is this: Mr. Secretary, yesterday with respect to the question of Mr. Carr you used the words "minor"

and "passive."

Secretary Stevens. Yes, sir.

Senator Symington. You did not draw up these charges. In trying to figure out what was running through your mind after reading the testimony again this morning, my impression is that you felt that Mr. Carr in effect was supporting Mr. Cohn because he was with him; is that correct?

Secretary Stevens. Yes, sir.

Senator Symington. You do not remember whether he did or did not actually participate in the conversation; is that correct.

Secretary Stevens. I cannot recall a quote, Senator Symington.

Senator Symington. You cannot recall a quote?

Secretary Stevens. No, sir.

Senator Symington. You think that the question of Mr. Carr's participation can better be handled by subsequent witnesses based on the charges; is that correct?

Secretary Stevens. Yes, sir.

Senator Symington. I have no further questions, Mr. Chairman.

Mr. Jenkins. Mr. Chairman. Senator Mundt. Mr. Jenkins.

Mr. Jenkins. May I, in answer to a statement made by Senator Symington with respect to the picture introduced yesterday of the Secretary and Mr. Schine, make this statement? That the picture in its original form was handed to me by an adverse party in interest as being what the picture itself represented, to wit, a photograph of the Secretary and of Private Schine. No intimation, no insinuation

was made that the picture had in any wise been changed or altered or that anyone's picture had been taken out of it.

If the committee thinks it is proper at this time to establish that fact, I am prepared now to call one of the adverse parties to the witness

stand and under oath establish that fact.

Senator Jackson. Mr. Chairman, I think that should be done without delay as soon as we get back to the picture situation because I think this committee has a right to know where this picture came from.

We have agreed that the Army must produce, and I understand they have offered to produce, the photographer who took the original picture. I think the same rule should apply with equal force in any attempt to authenticate, if that is possible, the picture of yesterday.

Mr. Jenkins. In view of the controversy which has arisen over the picture and the apparently widespread interest in it, I think, Mr. Chairman, in all fairness to everybody concerned, I should have Mr. Stevens stand aside at this moment—I think it will take no more than 5 minutes to do it—and establish the circumstances under which that picture was handed to me.

Senator McCarthy. Mr. Chairman? Senator Mundt. Senator McCarthy.

Senator McCarthy. May I say I agree with that heartily, but first I do think we should finish the round of questioning. Being the low man on the totem pole I don't like to be constantly cut out.

Senator Mundr. The Chair was about to suggest that we give Mr. Welch his 10 minutes, the Senator his 10 minutes, and then establish that. Then we will have concluded the picture.

Senator McCarthy. I think you forgot Senator Dworshak.

Senator Mundt. And Senator Dworshak, I beg your pardon. Senator Dworshak, 10 minutes.

Senator Dworshak. Mr. Secretary, you admitted yesterday that the activities of the investigating subcommittee had expedited efforts of the Army to expose subversives and security risks at Fort Monmouth.

I should like to know whether the work of the committee has inspired the Department of the Army to initiate or to expand its activities in other installations to expand its activities in other installations to expand its activities of the committee has inspired the Department of the Committee of the Committe

ties in other installations to overcome subversive elements.

Secretary Stevens. We have continuing progress, Senator Dworshak, which is constantly going on. Whatever we learn in one area we apply in another.

I think that we are doing a constantly better job in the area of

ferreting out subversives.

Senator Dworshak. Can you tell the committee whether you have exposed any specific instances, any security risks in other installations? I don't think that is classified information.

Secretary Stevens. I would have to check that up, Senator Dwor-

shak. I can get it for you.

Senator Dworshak. You have indicated in some of your statements that the morale of the Army has been adversely affected by the activities at Fort Monmouth in disclosing the prevalence there of these security risks. I think that this situation may be improved materially so far as the Department of the Army is concerned and it would be in the interest of the American people if you could give some assurances of the effective result of the work by your Department in exposing these elements in other installations. Can you do that?

Secretary Stevens. I think we have done an increasingly better job throughout the Department of the Army in all of our installations and all of our units in finding security risks, subversives, and taking the proper action with respect to them.

There has been a lot of testimony in regard to that before the Armed

Services Committee of the Senate.

Senator Dworshak. It has been disclosed that 35 persons were accused and charged at Fort Monmouth. Can you point specifically to any other instances where subversives have been exposed in other installations?

Secretary Stevens. That would be possible, but I would like to get

the actual facts before I attempt that, sir.

Senator Dworshak. Do you think the investigation conducted by this subcommittee at Fort Monmouth has had a salutary effect upon the activities of the Army in other places?

Secretary Stevens. I think we are doing a better job.

Senator Dworshak. You do recognize, of course, the essential need of exposing these fifth columns and these saboteurs, because as we face the global menace of communism aggression, certainly we ought to be assured in every way that the Army installations are free from these subversive elements.

Secretary Stevens. I recognize that completely, Senator Dworshak, and I started on my very first day in office to do something about it, and I have kept at it relentlessly ever since and I intend to continue

that.

Senator Dworshak. Then you are not resentful, as a result of that statement, of any of the activities of this committee at Fort Monmouth? You may criticize the procedural methods but you do approve heartily any work which is done by any congressional committee to expose these subversives?

Secretary Stevens. I do.

Senator Dworshak. You intend to continue to the best of your ability and the maximum capacity of the Department of the Army to give assurances to the American people that the Army is as free of subversives as it is possible to be.

Secretary Stevens. That is correct.

Senator Mundt. Mr. Welch, you have 10 minutes.

Mr. Welch. Thank you, sir. I don't think I need it at this moment. I will pass for this moment.

Senator Mundt. Senator McCarthy or Mr. Cohn, you have 10

minutes.

Senator McCarthy. May I have those pictures, please?

Mr. Stevens, now that we have the original picture, supplied, I understand, by the Army, do you recognize David Schine? Yesterday you had some difficulty.

Secretary Stevens. Yes, sir.

Senator McCarthy. There is no question that this is David Schine?

Secretary Stevens. I think that is David Schine.

Senator McCarthy. Who is the third man, do you know? Secretary Stevens. Colonel Bradley is his name, please.

Senator Munder. Will the photographers kindly obey the rules of the committee? The television people are understandably complaining that all they get is the backs of the photographers. We have a

ruling and will you please take your pictures, if at all, from a kneeling

or seated position? That is the rule.

Senator McCarthy. There is a fourth man who has been cut off. I know Mr. Welch objected to the third man being cut off. Is there any objection to the Army photographer having cut off the fourth man?

Secretary Stevens. I take it that is the size of the picture, Senator

McCarthy.

Senator McCarthy. That is the size of this picture. You don't claim it is doctored because the fourth man is cut off; do you?

Secretary Stevens. No.

Senator McCarthy. Let me ask you this now: If you take off the third man, does that change the setup insofar as you and Mr. Schine are concerned in any way?

Secretary Stevens. Yes, sir, McCarthy.

Senator McCarthy. It does?

Secretary Stevens. It does in the sense, Senator McCarthy, that yesterday Mr. Jenkins asked me the question—and it surprised me very much—if I had had my picture taken with David Schine alone. When my memory was possibly not too good on that point, he immediately refreshed my memory with the production of that picture.

Senator McCarthy. May I ask you this: The man who took this picture was not a press photographer. This was taken at Maguire Base. The only photographers present were Army enlisted photog-

raphers; is that correct?

Secretary Stevens. I don't know. I imagine it would be Air Force.

It was an Air Force base.

Senator McCarthy. Now, you know, also, that those photographers were not taking pictures of colonels, or Secretary of the Army, unless they were requested to do so. They weren't around like the young men around here, just taking pictures at will; were they?

Secretary Stevens. I can't ever remember having asked or made a request to have my picture taken, sir, and yet it has been photo-

graphed, I am afraid, thousands of times.

Senator McCarthy. Let me ask you this: I assume that Mr. Schine—and I understand this came from Schine's office—I assume Mr. Schine got this picture from the Army, and do you know whether, when he requested this, he merely got a picture of himself and Mr. Adams, or whether he also had the third and fourth man on here? I am rather curious, myself.

Secretary Stevens. I can't answer that question, and I don't know

what he got.

Senator McCarthy. You know that someone from the Army sent Mr. Schine this photograph, and I can understand how he would be proud, a private in the Army, having a picture taken with the Secretary, and I can understand when he frames that why he would not put on—I don't know who this is, perhaps Mr. Adams over here, or he might want to have Mr. Adams on, on second thought. But you claim that as of now, you do not remember asking the photographers to take this picture?

Secretary Stevens. I certainly do.

Senator McCarthy. You do not remember asking?

Secretary Stevens. I do not remember asking him, Senator Mc-Carthy.

Senator McCarthy. Aside from taking off the fourth man who is taken off by the Army photographer, the third man who was either taken off by Mr. Schine or someone else, aside from that, is this picture completely accurate as introduced yesterday and the one today?

Secretary Stevens. I am certainly not going to say anything about

the picture having been accurate when it was doctored.

Senator McCarthy. Let us see that. Would you examine those two, Mr. Secretary? Examine the picture of you and Schine, and tell me whether there is any doctoring except I believe a little less of your leg on one than on the other and a little less of Mr. Schine's feet on one than the other. Other than that, is there any change in the picture?

May I say, I do not think that there is anything improper with your having your picture taken with Mr. Schine or anyone else. In view of the fact this matter is brought up this morning, I think

that we should go into it in some detail.

(The photograph was handed to the Secretary.)

Secretary Stevens. I didn't get the question, and if the question is

before me, I would like to know what it is.

Senator McCarthy. I will repeat the question. The question, Mr. Secretary—and if you have your aide let that down so that I can see you—the question is, aside from cutting off the fourth man who was cut off, apparently, by the Army photographer, and I assume that is Mr. Adams, and cutting off the third man, who is either cut off by Mr. Schine or someone in my committee, and we will find that out when Mr. Jenkins calls them to the stand—aside from that, is the picture of you and Mr. Schine completely accurate, and is there any doctoring in any way?

Secretary Stevens. I would have to examine closely, and I would say that looking at it quickly, that that is probably true, Senator

McCarthy, that the rest of it is.

Senator McCarthy. Completely accurate?

Secretary Stevens. But, I think you overlooked the major trouble with this picture, which is that it was introduced on the basis that I had asked for a picture with Dave Schine alone, and I have no recollection of asking for such a picture; and the picture, the other picture

here this morning proves that such was not the case.

Senator McCarthy. Let me say that whether you had your picture with Schine alone or with another colonel, as far as I am concerned, it doesn't concern me, and I don't think it is improper at all. I think that you are entitled to have your picture taken wherever you want to. But do you think that having another colonel in the picture, having another colonel standing on the other side of the private, you on one side and the colonel on the other, does that decrease the significance or increase the significance in any way?

Secretary Stevens. I think it increases the significance of what is happening here tremendously, because it shows that somebody has taken it upon themselves to edit the information that is going to come

before this committee.

Senator McCarthy. How about the editing of Mr. Adams' face

over there? Who did that; do you know?

Secretary Stevens. I have no idea who that other one is, and it might be Senator McCarthy.

Senator Mund. This will not be taken out of the Senator's time; and perhaps the chairman was derelict this morning in failing to repeat the committee rule, which is pretty generally understood, I am sure, by those who have been in attendance at the committee sessions earlier. They are that there will be no manifestations of approval or disapproval at any time, in any way, from the audience. The officers have a standing order to politely escort from the room people who violate that rule.

I am not going to enforce it at this time, but from now on I expect

the officers to enforce that rule.

We are trying with great difficulty to have these proceedings heard, with a tremendous number of guests, and we are all happy to have you here, but you must comply with the committee rule.

Senator McCarthy?

Senator McCarthy. That is not off my time, is it?

Senator Mundr. No; it is not off your time.

Senator McCarthy. You said this might have been Senator McCarthy, and it might have been, because I was there when you called the photographer over to have the picture taken, except I notice this is not my hat in the picture, but let me ask you this: You object to the third man being cut off, and I can see where you would. I think that is a legitimate objection. Do you object to the fourth man being cut off?

Secretary Stevens. I think we should find out from the photographer as to whether or not that is the size of the film and that that is exactly where it cut off automatically.

Senator McCarthy. I think that is a good idea.

Now, Mr. Secretary, you said the other day that you wanted to get the hearings suspended. You have succeeded in that, have you not? You have succeeded in getting the hearings on the Communist infiltration in the military suspended. Your success is complete as of today, is it not?

Secretary Stevens. I don't—I wish you would repeat that, Senator

McCarthy.

Senator McCarthy. I will be glad to.

You testified the other day that you wanted to suspend the hearings on Communist infiltration in the military. I say that as of today, your success is complete, and they are completely suspended; is that correct?

Secretary Stevens. I don't know whether they are or not.

Senator McCarthy. Well, you said you wanted the hearings suspended.

Secretary Stevens. I assume that your committee is still active,

Senator McCarthy. You made a special point the other day, and you said, "I did not want the investigation suspended; I wanted the hearings suspended." And you know there have been no hearings since your office issued the attacks upon Mr. Cohn, Mr. Schine, and myself. In other words, you have been successful, have you not?

Secretary Stevens. I don't regard that as success at all; no, sir. Senator McCarthy. Well, let us see. You wanted the hearings suspended; is that right?

Secretary Stevens. I wanted the type of hearings changed.

Senator McCarthy. Well, now, you said the other day you wanted

them suspended, are you changing that testimony?

Secretary Stevens. I wanted to have—and I stated it several times yesterday and I will state it again—that I wanted to have the constant hammering of the Army over the head with respect to Fort Monmouth stopped, because it was creating an impression in the minds of the American people, as well as the Army, that was not a fair or accurate picture.

Senator McCarthy. Now, Mr. Secretary, all of the things you said

yesterday were taken down.

Secretary Stevens. That is right.

Senator McCarthy. Do you deny today that yesterday, in answer to Mr. Jenkins' question, you said that you did not want to stop the hearings but you wanted the hearings suspended? Isn't that correct? If you insist, I will be glad to go through the testimony and dig it out.

Secretary Stevens. I said that I thought that the Fort Monmouth hearing had served its purpose.

Senator McCarthy. And should be suspended?

Secretary Stevens. And that we would carry it on, and we would make progress reports to you; and if it wasn't satisfactory, the investigation would be continued anyway on your part, on the part of your staff, and that you would come right back into the picture.

Senator McCarthy. Bob, I am asking you a very simple question: Did you yesterday say that you wanted to have the hearings

suspended?

Secretary Stevens. I said that I wanted to have—Senator McCarthy. Now, tell me "yes" or "no." Secretary Stevens. Well, let us look up the record.

Senator McCarthy. Don't you remember?

Secretary Stevens. Senator McCarthy, there are a great many things happening, and I am trying to remember as best I can, as these questions come along, and get out the facts right here in front of this committee, and I may not always be able to immediately answer, to recall something as you are now asking me.

Senator Mundt. The time of the Senator has expired. In con-

Senator Mund. The time of the Senator has expired. In conformity with the agreement of the committee, the chairman will now ask Secretary Stevens, if he will, to step aside temporarily, and the

counsel would like to call a different witness.

Mr. Jenkins. I should like to call at this time Mr. Roy Cohn.

Senator Mundt. Mr. Cohn will come to the stand.

Mr. Cohn, do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Cohn. I do, sir.

Senator Mundt. You may be seated.

TESTIMONY OF ROY M. COHN

Mr. Cohn. At the outset may I have the record indicate that I am not represented by counsel and that none of the various persons here as aides represent me in any way. I am here myself, and I am here to answer any questions which Mr. Jenkins might have to ask of me.

I welcome the opportunity to state the circumstances of this picture and the fact that it was taken at the request of Mr. Stevens. I ask that other witnesses be called to establish that fact.

Senator Munder. Counsel will proceed.

Mr. Jenkins. For the purposes of identification, you are Mr. Roy M. Cohn.

Mr. Cони. Yes, sir.

Mr. Jenkins. Counsel for this committee? Mr. Cohn. That is right, Mr. Jenkins.

Mr. Jenkins. Mr. Cohn, since my appointment as special attorney for this committee, I have from time to time been to your office in consultation with you and other witnesses that you expect to introduce in an effort to ascertain your side of this controversy here. Is that not correct?

Mr. Cohn. Mr. Jenkins, you have—and it is our desire to give you—the facts, which is what we hope to establish at these hearings.

Mr. Jenkins. I believe that last evening after the sessions were concluded about 5 p. m., I spent some 3 or $3\frac{1}{2}$ hours in your office

Mr. Cohn. You did, sir.

Mr. Jenkins. As I have done on evenings previous to that.

Mr. Cohn. I think once or twice prior.

Mr. JENKINS. I think perhaps I have told you that I prepared Mr. Stevens' and Mr. Adams' side of this controversy first and had spent some 4 or 5 days in consultation with them and their witnesses at the Pentagon.

Mr. Cohn. That you did, Mr. Jenkins.

Mr. Jenkins. So it has all been, as far as you know and as far as I know, open and aboveboard on my part for the purpose of ascertaining the facts. Is that not correct? Mr. Cohn. There is no doubt about it.

Mr. Jenkins. Mr. Cohn, the day before yesterday, perhaps late in the afternoon or in the evening, you and I had a considerable conference in your office, did we not?

Mr. Cohn. Yes, sir.

Mr. Jenkins. With respect to your charges against Mr. Stevens and Mr. Adams, is that correct?

Mr. Cohn. Yes, sir.

Mr. Jenkins. I will ask you whether or not in that conference a great deal of the time or perhaps all the time Mr. Frank Carr was present and Mr. James Juliana and myself and you.

Mr. Cohn. I believe that is correct, Mr. Jenkins.

Mr. Jenkins. I will ask you whether or not, Mr. Cohn, during that conference the day before yesterday you stated to me-

Mr. Cohn. Excuse me, Mr. Jenkins. You say the day before yesterday?

Mr. Jenkins. In our conference of the day before yesterday.

Mr. Cohn. Wait a minute. Today is Tuesday, is that correct?

I believe it was the end of last week.

Mr. Jenkins. I think perhaps you are right about that. It does not make any particular difference. In your conference with me and in my questioning you with respect to the allegations of the McCarthy committee against Mr. Stevens and Mr. Adams you stated to me that on November 17—and this inquiry is confined, Mr. Cohn, we understand, to the one issue now in controversy alone; and that is with respect to these photographs.

Mr. Coнn. Yes.

Mr. Jenkins. You stated to me on that occasion that Mr. Stevens as Secretary of the Army on that date requested David Schine to be photographed with him.

Mr. Cohn. I stated that, and that is a fact, sir. We will prove it. Mr. Jenkins. Did you or did you not tell me who was present on

that occasion?

Mr. Cohn. On November 17?

Mr. Jenkins. Right.

Mr. Cohn. I believe I told you some of the people who were present. I might have told you all of the people who were present.

Mr. Jenkins. Did you or did you not tell me that you had documentary evidence in the form of a photograph to substantiate that

Mr. Сонм. Mr. Jenkins, I wonder if we could do it this way: Could

I give you my recollection as to exactly what I did do?

Mr. Jenkins. I think that would be fine, and it would shorten the inquiry. You may proceed to do so. Mr. Cohn. Thank you, sir.

As I recall, I told you with reference to the particular charges about threats that I had supposedly made to Mr. Stevens concerning Private Schine with regard to improper inducements and persuasions that had been attempted by Schine himself and others in his behalf. I told you, sir, I believe, that I thought very substantial proof of the bad faith of Mr. Stevens in making those charges now was the fact that long after the threats had supposedly been made, long after these inducements and persuasions had supposedly been made, Mr. Stevens was not only most solicitous of Private Schine but was in his company, not only once but twice, and had asked that he be photographed with Private Schine. That is what I told you, sir, and that is the fact.

I told you specifically that on November 6 when Mr. Stevens invited all of us to his office for lunch and when at that lunch he asked us to

stop the hearing-

Mr. Jenkins. Mr. Cohn, I am sorry to interrupt you, but you are now addressing yourself to the events of November 6 in Mr. Stevens' office at the Pentagon.

Mr. Cohn. I want to talk about the photograph, if I may.

Mr. Jenkins. With respect to November 6?

Mr. Cohn. Yes.

Mr. Jenkins. As leading up to the event of November 17?

Mr. Cohn. That is correct, sir.

Mr. Jenkins. Will you confine it to the photograph alone?

Mr. Cohn. I will, sir.

Mr. Jenkins. And what was said, allegedly, by Mr. Stevens on that occasion?

Mr. Cohn. I will, sir.

Mr. Jenkins. I think that is proper.

Mr. Cohn. Surely.

On November 6, Mr. Stevens had invited Senator McCarthy, Mr. Carr, myself, and Mr. Schine, who was then in the Army, to lunch at his office. Mr. Schine did not come because he did not care to come. He declined the invitation. When we arrived there, there was a place set for him at the table and Mr. Stevens expressed great regret and said——

Mr. Jenkins. Now, Mr. Cohn, just with reference to the photograph. I must insist that you are going beyond the scope of the inquiry.

Mr. Cohn. With reference to the photograph, Mr. Stevens said:

One reason I am particularly sorry Dave is not here is that a couple of the photographers wanted to take a picture of him and me, of Dave Schine and myself, and I wanted to have that picture taken.

Mr. Jenkins. Is that all that was said on November 6 with reference to a photograph?

Mr. Cohn. That is all with reference to the photograph.

Mr. Jenkins. Passing to November 17.

Mr. Cohn. Very well, sir.

Mr. Jenkins. I will ask you whether or not you told me that you had documentary evidence in the form of a photograph of Mr. Stevens and Mr. Schine corroborating your statement to me that Mr. Stevens requested his photograph be taken with Schine. Is that correct?

Mr. Cohn. I told you, sir, that as far as I knew there was a picture of Mr. Stevens and Private Schine taken on November 17. There

was, and there is.

Mr. Jenkins. Did I ask you to produce that photograph to me prior

to my cross-examination of the Secretary of the Army?

Mr. Cohn. I believe before you did that, Mr. Jenkins, you asked me to explain to you the circumstances under which that photograph was taken. I believe, sir, I then told you—and if I may—

Mr. Jenkins. Did or not you tell me it was taken on that occasion

at the request of the Secretary of the Army?

Mr. Cohn. I said that then, sir, and I say that now; and so will other witnesses.

Mr. Jenkins. Mr. Cohn, was the photograph introduced yesterday delivered to me by you or a member of your staff prior to my cross-examination of the Secretary?

Mr. Cohn. Yes, sir.

Mr. Jenkins. Was anything ever said to me up to this time about

any person being cut out of that photograph?

Mr. Cohn. No, sir, I do not think anything ever was said to you about any person being cut out of that photograph. I would like to tell you, in the interest of accuracy, exactly what was said and exactly what was done.

Mr. Jenkins. You may do so. Mr. Cohn. All right, fine.

I told you, sir, after I described the November 6 incident in which Mr. Stevens expressed regret that Mr. Schine did not accept his invitation, stating as one reason that he wanted his photograph taken, that on November 17 when Mr. Stevens flew down with us to Fort Dix to see Mr. Schine that as we were getting off the plane there were a couple of Army photographers. Mr. Stevens said they were Air Force photographers. They very well might have been, sir. There were a couple of military photographers, let's say, who were waiting at the plane. Private Schine was waiting there, and so was General Ryan.

I believe I mentioned to you that Colonel Bradley was there, that Colonel LaVelle was there. I believe I mentioned to you, sir, that Colonel Bradley will be one of the people we will call as a witness for us in this proceeding. I stated to you that as we got off the plane and these photographers stepped up, Senator McCarthy said that we had to leave for Boston very soon and as far as he was concerned he did not want any pictures taken; he wanted to get right inside and start working.

At that point Mr. Stevens walked over to Private Schine and said, "This is a picture I would like to have. It is one I have wanted, so

let's have it taken now."

I heard that, Senator McCarthy heard that, and Mr. Carr heard

that. A picture was thereupon taken.

I believe you asked me, sir, whether or not such a picture was in existence. I believe I told you that I thought that it was, at which point I contacted Private Schine. Private Schine said "Yes," there had been such a picture in existence; that he had had it framed on the wall of his office until recent events, at which time I believe it was taken down.

I asked if he could get that. He said he thought he could. He went up to New York. He procured that picture. He brought it down. I did not see it, and I might say to you, sir, I did not know whether Colonel Bradley was standing in the background or not. As I think back on it, I think that there were 3 or 4 pictures that were taken on that day. I think Mr. Adams was in a couple of the pictures.

Now, Mr. Schine sent that picture down here. It was given to some members of the staff. They took it downstairs to have copies of the picture made. Copies of the picture were made. One of the members of the staff asked me what to do with it. I told him to send a copy of the picture of Stevens and Schine up to Mr. Jenkins, a

blown-up copy. That was done.

I now find on inquiry of a member of the staff that they saw some third person who was not recognizable and was not recognized standing to the side; that Mr. Stevens and Mr. Schine were facing each other and looking at each other. There was a third person standing on the side and they thought that that person had no relevancy, had nothing to do with it, and that the picture wanted was the picture of Stevens and Schine. That is what was blown up, that is what was sent up to you. I did not see it before it was sent up. It was sent up. If Mr. Stevens wants to establish that Colonel Bradley was standing to the side, I remember he was at the side of the plane as we arrived as the commanding officer of the field and that Mr. Adams was standing next to Colonel Bradley. I think, sir, that is perfectly correct and proper, and we are very glad to have that in the record.

Mr. Jenkins. Mr. Cohn, let me interrupt you if I may, please.

Mr. Cohn. Surely.

Mr. Jenkins. The point of inquiry at this time particularly is this: Is not the picture about which I cross-examined the Secretary yesterday the picture that was delivered to me by your staff?

Mr. Cohn. Yes, sir. It was a blowup. It was not the original. Mr. Jenkins. A blowup. Was not anything ever said to me about that picture having been edited or a third person who I believed you referred to as Colonel BradleyMr. Cohn. Yes.

Mr. Jenkins. Being omitted from the picture?

Mr. Jenkins. And in your discussion with me you told me as I remember, Mr. Cohn, and correct me if I am wrong, I ask you the question: That you did have this picture of Schine and the Secretary? Mr. Cohn. That is right.

Mr. Jenkins. Which would be delivered to me?

Mr. Cohn. Sure.

Mr. Jenkins. For the purposes of introduction as proof in this

Mr. Cohn. That is right and I did not tell you, sir, that Colonel Bradley was standing to the side of it and I did not know it until now, and I think it makes not the slightest bit of difference, sir; and I would like it very clearly noted on the record that this is a picture whether Colonel Bradley is standing to the side or not. This is a picture of Secretary Stevens and Mr. Schine looking at each other, taken on an occasion when Mr. Stevens flew down to see Mr. Schine after he claims he had been threatened and improperly persuaded and induced, and that the picture of Mr. Stevens and Schine was taken at the request of Mr. Stevens.

Mr. Jenkins. You have already stated that Mr. Cohn, and it is repetitious, and those are all of the questions I care to ask you. And on the subject of this picture alone of November 17, the members of this committee will perhaps now desire to ask you further questions.

Mr. Cohn. I will be glad to answer any question that any member

of the committee wants to ask.

Senator Mund. I have just one question. Is the original picture which we now have before us, what you call a blowup, the original

picture in your possession or can you produce it?

Mr. Cohn. No, but I am sure we can. I have an awful lot of papers, and stuff to attend to and it is not in my possession, but I would say this: I am sure it is under my control, to the extent that we can get members of the staff—it must be around someplace, and I am sure we can get that up here.

Senator Mundt. So that it can be produced?

Mr. Cohn. As a matter of fact I would like to do this: I would like to supply the original picture plus all of the blowups which were made, from which the one sent up to Mr. Jenkins was selected, and everything we got and everything we have now.

Senator Munder. I am sure the committee will be happy to see whatever pictures are available, but among them we would like to see

the original from which this was made.

Mr. Cohn. That will be supplied.
Senator Mundt. Very well. Senator Dirksen has notified the Chair that he had to go over to the Supreme Court to stand up with a constituent being sworn in today, and so we will go next to Senator Potter. Or Senator McClellan. It wasn't Senator Dirksen's time at all, it was Senator McClellan's.

Senator McClellan. Roy, I just want to ask you, if at the time counsel yesterday was questioning Secretary Stevens trying to elicit from him that at his own request he had had his picture taken with

Mr. Schine alone, did you then know that the picture that was on exhibition and being made a part of the testimony was taken out of a group picture and not a picture of Mr. Stevens and Mr. Schine alone? Did you know that yourself yesterday when those questions were being asked?

Mr. Cohn. No, sir, and as a matter of fact I did not even catch the word "alone" put in there by Mr. Jenkins. I did not hear that word

and I did not catch that, Senator McClellan.

Senator McClellan. Well, was not the purpose of the picture, and your producing it, and making it available to counsel for the purpose of substantiating your statement that Mr. Stevens had requested that he and Schine had their picture taken alone together?

Mr. Cohn. No, sir, and I don't believe, and I hope Mr. Jenkins will bear me out in this, that I ever used the word "alone." And I might say I don't think the fact that Colonel Bradley is standing to the side changes the thing one iota. But I don't believe I ever used the word "alone" to Mr. Jenkins or anyone else.

My recollection was, Senator McClellan, and is, that Mr. Stevens wanted a picture of himself and Mr. Schine, and I don't believe that he excluded from the picture or asked to have excluded from the pic-

ture any of the other people present.

If it happens that Colonel Bradley, who was standing next to the plane, was to the side of the picture, or whether possibly Mr. Adams was next to him, that might very well be so, sir, and I don't deny it for a minute nor do I attach any significance to it.

Senator McClellan. The point is, as the picture was presented yesterday, it was to corroborate the allegation and the question that had been asked Secretary Stevens with respect to him wanting his picture taken alone with Mr. Schine.

Mr. Cohn. Senator McClellan—

Senator McClellan. Now, at the time the picture was presented, counsel interrogated Mr. Stevens obviously under that impression.

Now, did you give him that impression that it was a picture of the

two taken alone?

Mr. Cohn. No, the impression which I gave him, I hope, which is what the facts as I knew them were, was that there was a picture of Secretary Stevens and Mr. Schine taken at the request of Secretary Stevens.

I don't believe Mr. Jenkins ever asked me, and I don't know why he should have, "Was anybody else standing to the side, or did Sec-

retary Stevens ask that everybody else step out of it?"

It was a picture of Secretary Stevens and Mr. Schine next to each other, looking at each other. I believe that was as far as I went, be-

cause that is as far as I knew, sir.

Senator McClellan. Well, you recognize that, as it was presented yesterday, in testimony elicited from examination by counsel, the testimony as of yesterday did not present the facts as they are. Do you recognize that?

Mr. Cohn. Sir, in that Colonel Bradley was standing to the side, and the fact that Mr. Adams might be standing next to them, yes.

Senator McClellan. Well, that was not a picture of two people alone.

Mr. Cohn. Sir-

Senator McClellan. It was a group picture, and the picture of these two standing side by side and looking at each other, as you say, has been removed, as you now know and I think can see, from a group picture.

Mr. Cohn. Sir, you say a group picture. I think it shows Colonel

Bradley standing to the side, facing them sideways.

Senator McClellan. It also shows someone else standing next to him, a fourth man there.

Mr. Coнn. Who was probably Mr. Adams. Senator McClellan. Probably Mr. Adams.

Mr. Cohn. That might very well be so, sir, and in answering your question—

Senator McClellan. At any rate, the picture yesterday was a picture taken from the other picture here, that has been presented this

morning, and you recognize it as such, do you?

Mr. Cohn. Senator McClellan, I recognize it as exactly as it is so far as we have it this morning. If a further picture is produced showing Mr. Adams or someone else as the person whose sleeve has been cut off, I will recognize it as that, and all I represented, sir, and all I know is that I heard, as did others, Mr. Stevens say one picture he would like is a picture of himself and Mr. Schine, and I don't recall him asking other people to step out of the picture, and I know that a picture was taken of Mr. Stevens and Mr. Schine next to each other and looking at each other.

And if the thing shows Colonel Bradley standing to the side, so be it, sir. Of course, whatever the picture shows, that is what it is. I did not use the word "alone," sir, and I don't think I could have, because I had not seen the original, and I still don't think I have seen

what might be the full original.

Senator McClellan. What did you see?

Mr. Cohn. All I saw, Senator, is this: I saw in Dave Schine's office sometime ago, I don't know how long ago—I would say months ago—a picture of Secretary Stevens and Private Schine, period. That is all I had ever seen, and that is what I told Mr. Jenkins I had seen.

Now, if you want to ask me whether or not Colonel Bradley was also in that picture, standing to the side, I don't know, sir, he might

have been.

Senator McClellan. Well, the picture you saw in Mr. Schine's office that you speak of, was it a group picture, and was it this picture of the group, or was it just as you presented it here?

Mr. Cони. I don't know, sir.

Senator McClellan. You don't remember?

Mr. Cohn. Here is what I remember, Senator McClellan: I remember Secretary Stevens and Private Schine standing next to each other, looking at each other, and I cannot, sir, tell you whether Colonel Bradley or anyone else was in that picture or not, and I know you don't want me to undertake more than I can tell you.

Senator McClellan. No; I am just testing your memory.

Mr. Cohn. My memory is, sir, that it included Stevens and Schine, and that is my memory, and I cannot tell you.

Senator McClellan. And no one else?

Mr. Cohn. I can't say that, sir; I don't know.

Senator McClellan. You can state what your memory is.

Mr. Cohn. My memory is Stevens and Schine, and my memory is I don't know whether there was somebody—

Senator McClellan. If you don't know, then you don't have

memory about it.

Mr. Cohn. I have no memory of that, sir, whether there was somebody else in it or not, I don't know.

Senator Mundt. Senator Potter.

Senator Potter. Roy, did you see the photograph when it was sent to Washington?

Mr. Cohn. No; I did not.

Senator POTTER. In other words, you didn't see the photograph until the blowup was here?

Mr. Cohn. I don't recall seeing it, and I am not even sure I saw

the blown-up photograph.

Senator Potter. I have no further questions.

Senator Jackson. Mr. Cohn, about when did you see the picture referred to here for the first time?

Mr. Cohn. As I remember, Senator Jackson—which picture?

Senator Jackson. I am referring to the picture that you gave to Mr. Jenkins, the counsel.

Mr. Cohn. I did not give it to him, sir. I caused it to be sent up

to nim.

Senator Jackson. You requested that he present it in evidence, did you not?

Mr. Conn. Yes, sir, I supplied that at the request; I told—no, Senator Jackson, if I can explain this—I did not suggest it be presented in

Mr. Jenkins asked me if there was a picture of Secretary Stevens and Mr. Schine, and I said that there was, and of course, there is. He asked me if I could undertake to get that and furnish that to him and I was very happy to comply with that request, as I am of any request Mr. Jenkins made of me.

Senator Jackson. The original idea for this picture came from

Mr. Jenkins?

Mr. Cohn. I wouldn't even want to say that. We were talking about the events of November 6, and November 17, and when the fact of the picture came up, I don't remember whether I said to Mr. Jenkins, "Let me get the picture, and I am going to suggest you put it in," or whether Mr. Jenkins said to me "Let us get the picture and I would like to use it at the hearing or you use it at the hearing."

Senator Jackson. Wasn't the idea of your conference with Mr. Jenkins on the subject of the picture, to show that a picture had been taken with Mr. Schine, Private Schine, and the Secretary of the Army

alone?

Mr. Cohn. No, sir.

Senator Jackson. You don't think Mr. Jenkins-

Mr. Cohn. You asked me a question, and if I might answer it, sir; I never used the word "alone" because I could not have. My recollection was, and my recollection is of a picture of Secretary Stevens and Private Schine. That is what my recollection was, sir, and that is what my recollection is. And I could not have told him then whether Colonel Bradley was standing to the side, or whether Colonel LaVelle was or not because I did not know.

Senator Jackson. Don't you think it was important yesterday when Mr. Stevens testified under oath that he had no recollection about having it taken alone, and Mr. Jenkins asked and it became very material to this question at issue whether this picture was taken alone or with someone else, and when it was brought out here in the hearings at which you were present that the question was being put to Mr. Stevens that this—do you recall a picture had been taken with Mr. Schine alone? And the Secretary couldn't answer the question. And then the picture was handed over to him, showing the two alone.

Now, don't you think in the interest of keeping the record straight, so that there couldn't be any dispute, that you should have called at-

tention to the fact that this picture might not be complete?

Mr. Cohn. Sir, I think that I have explained the circumstances, and if I might repeat them for you in response to your question. I did not eatch the word "alone", and I did not attach any significance to

it then, and I don't recall even hearing it.

1 recall questioning about a picture of Secretary Stevens and Private Schine. If I had known that there were other persons on that picture, and if other people had known there were other persons on the picture, or if they had known Colonel Bradley was there, or I had the other picture with me, I would have been glad to supply that.

Now, Senator Jackson, in answer to your question, you say "It is important in keeping the record straight," and I might say I think since you ask me, I think it is completely unimportant, whether or not Colonel Bradley is standing to the side while this picture is taken

or not. That is not for me to judge.

Senator Jackson. That is for the committee to judge.

Mr. Cohn. Of course, it is, sir.

Senator Jackson. But don't you think that Mr. Jenkins very rightfully asked the question of Mr. Stevens: "Did you have a picture taken alone with Private Schine," and just let me finish my question, because the picture that had been handed to Mr. Jenkins showed the two of them together?

Mr. Cohn. That is right, sir.

Senator Jackson. Isn't that a fair question for you to answer?

Senator McCarthy. A point of order, Mr. Charman. May I suggest that the question asked by Mr. Jenkins be read into the record, from the bottom of page 433. In fairness to the witness the question should be read.

Senator Mund. The Senator will have 10 minutes under the rules, and he may do that at that time. Senator Jackson wants to use his time.

Senator Jackson. Who gave you the picture?

Mr. Cohn. May I answer your last question first, Senator?

Senator McCarthy. Please.

Senator Mund. What is your point of order?

Senator McCarthy. My point of order is that the question as asked does not contain the word "alone." Later on the word was used. I think in fairness to the witness and to keep the record straight, Senator Jackson should read the question as asked starting on page 433.

Senator Jackson. Since when did I ever suggest to other members of this committee or witnesses what questions they ought to ask?

Senator Munder. The Chair will overrule the point of order. It does not deal with relevancy, and Senator McCarthy will receive 10 minutes very shortly, at which time he may read the question.

Senator Jackson?

Senator Jackson. When did you receive the picture that you arranged to be turned over to Mr. Jenkins?

Mr. Cohn. Before I answer that, sir, would you like the answer to your last question, which you did not give me an opportunity to

Senator Jackson. One of the principals interceded at that point,

and I cannot recall.

Senator Mundt. Will the reporter read the question. It will not come out of Senator Jackson's time.

(Whereupon, the reporter read the question referred to, as re-

Mr. Cohn. Isn't that a fair question for me to answer? I say it is,

and I would like to answer it, sir.

Senator Jackson. That is all I asked, "Yes" or "No." I don't think

anything else beyond that is responsive to the question.

Mr. Jenkins. The witness has a right to answer the question, and then give such explanation as he thinks proper. Every witness has that primary right, of course.

Senator Jackson. I am not trying to cut down his answer.

Senator Mundt. Mr. Cohn, you may answer the question.

Mr. Cohn. Thank you very much, Mr. Chairman.

I think it was a very fair question of Mr. Jenkins. I think the purpose of my conversation with Mr. Jenkins was to show that Secretary Stevens had had his picture taken.

Senator Symington. May I interrupt the witness?

You said it was a very bad question?

Mr. Conn. Fair question. Senator Symington. Thank you.

Mr. Cohn. I think it was a very fair question for Mr. Jenkins to ask, for this reason: The purpose of the discussion between Mr. Jenkins and myself on this matter was whether or not, after these threats and inducements had supposedly or allegedly been made, Mr. Stevens as Secretary of the Army, had a picture taken with Private Schine down at the Maguire Airfield, and the circumstances which I described, and I assumed that was the purpose of Mr. Jenkins' interrogation and, sir, I don't think that that fact is materially altered by Colonel Bradley's standing to the side or not. The fact remains that Mr. Stevens and Mr. Schine are looking at each other and facing each other, and that is that. That is the best way I can answer your ques-

Senator Jackson. Mr. Cohn, when did you receive this picture that was introduced in evidence yesterday?

Mr. Cohn. I did not receive it, sir. Senator Jackson. Who received it?

Mr. Cohn. I don't know. I can find out, I am sure. Senator Jackson. How did you know about it?

Mr. Cohn. How did I know about the picture? I knew about it in this way: Mr. Jenkins made the request, as he made a number of other requests. I made a list which I think contains some 47 items which are parceled out among various members of the staff, I would say 2 or 3 of them. Then they go and try to get the material. If it then comes time for the picture and Mr. Jenkins wants the picture, somebody in the office would say, "Get the picture of Schine and Stevens up to the office of Mr. Jenkins," and the picture will be sent up to the office of Mr. Jenkins.

I did not see it. I did not bring the picture up there, sir.

Senator Jackson. How did you know who cut out part of the picture?

Mr. Cohn. I don't know that anybody cut out part of the picture. Senator Jackson. Do you know whether the original negative came to the office?

Mr. Cohn. No, sir; I don't.

Senator Jackson. Or the original print?

Mr. Cohn. I do not.

Senator Jackson. Who would know?

Mr. Cohn. I am sure we could find that out.

Senator Jackson. Who in your staff would know?

Mr. Cohn. Frank Carr might know. Jim Juliana might know. We will be very glad to make diligent inquiry on that.

Senator Jackson. You don't know who sent it over to the photo-

stating department?

Mr. Cohn. No, sir; I do not. I have never been in the photostatic department in my life, nor was I on this occasion, nor do I know what went on there, sir. I am sorry. I wish I could be more helpful to you on that.

Senator Jackson. That is all.

Senator Mundr. Have I called on you, Senator Potter? I think I have.

Senator Dworshak?

Senator Dworshak. Mr. Cohn, who arranged the plane trip on November 7 to Fort Dix?

Mr. Cohn. It was arranged at the insistence of Secretary Stevens. He wanted to go down to Fort Dix and say hello to Dave Schine with us, and he wanted us—and afterward it was rather embarrassing, as a matter of fact. We got out of the plane and then he didn't get back in. He said, "I want you people to take this plane and go to Boston.

I am going to get back to Washington some other way.

Afterward Mr. Adams told me on that day Mr. Stevens would have done anything on God's earth to try to make us happy, because of course that was the day when he was trying to get us to stop the hearings which were scheduled to begin the following Tuesday. So we took Secretary Stevens' plane and went to Dix, and went from Dix on to Boston.

Senator Dworshak. Who invited Private Schine to meet the plane

at Fort Dix?

Mr. Cohn. I don't know. I imagine that was arranged for by Secretary Stevens. The circumstances of our meeting Private Schine were that prior to commencing certain hearings in Boston, we desired to obtain from Private Schine information which he had, sir, pertaining to the investigation which we were about to open in Boston. For that reason we went down there to see him, and we talked to him about that, and that alone.

Senator Dworshak. Mr. Cohn, Private Schine was already drafted and he was in the Army?

Mr. Cohn. Yes.

Senator Dworshak. Was he at that time connected with this subcommittee staff?

Mr. Cohn. No, sir; he was not.

Senator Dworshak. It seems very peculiar to me that the Secretary of the Army or members of this committee should arrange a conference with a man in the Army as a private who was in no way connected with the staff of this committee. Why was that done?

Mr. Cohn. That was done for this reason, Senator Dworshak: He had but recently left the staff of the committee. He had been one of the people primarily responsible for the gathering of information, the interviewing of witnesses, and the conducting of interrogations of witnesses in connection with this very investigation.

Senator Dworshak. Over what period of time was he interrogating

Mr. Cohn. He was interrogating witnesses over a period of some, I would say, 8 or 9 months, sir.

Senator Dwershak. Had he been continuing with that work up to

the time he was drafted?

Mr. Conn. He continued with that work up until the very day that he was drafted. I might say there were days prior to the time that he was drafted when, just prior to the time, when Senator McCarthy, Mr. Carr, and myself were all necessarily absent from the scene of the interrogation, and Mr. Schine-

Senator Dworshak. Was Private Schine an indispensable member of this staff whose services were so essential that the staff could not function without relying upon the services and the information which

only Private Schine had available?

Mr. Cohn. Senator Dworshak, I don't happen to be one of those who hold to the indispensable-man theory about anybody on this earth. I think everything goes along if not a single one of us was here, since time began. I don't think Private Schine is or was indispensable. I could best say it this way: He served the committee for almost a year without receiving any compensation. He did an able and successful job which resulted in the saving of millions of dollars to the taxpayers of this country and to the rooting out of Communists.

Senator Dworshak. That is your opinion, and you are entitled to it. Mr. Cohn. That is my opinion, sir. I think I can back that up

with the opinions of others.

Senator Dworshak. I didn't ask you to do that. Please answer

the question. Don't make a speech at this time.

Mr. Cohn. I would say he is not indispensable. I would say he is a valuable staff member who did excellent work and had valuable information.

Senator Dworshak. When did you have the first intimation that

David Schine might be drafted into the military service?

Mr. Cohn. I would say that was around the summer or early fall.

Senator Dworshak. And he was drafted when?

Mr. Cohn. I believe the date of his induction was November 3. Senator Dworshak. And how many months intervened between summer and November 3?

Mr. Cohn. It depends on where you start. If you want to start with August, you would have August, September, and October. You

would have 3 months.

Senator Dworshak. And David Schine would continue to investigate on behalf of this committee and the staff, and was then consulted on November 17, even though it had been known early in the summer that he was to be called into military service?

Mr. Cohn. He had been consulted as recently as the last 2 days, sir. There is a great deal of information he has which we need and which I think perfectly properly for the proper operation of our

investigation.

Senator Dworshak. That is again your opinion. Who has been

engaged on the committee to replace Mr. Schine?

Mr. Cohn. There has been nobody engaged to replace him as an unpaid consultant. I think that after his experience we can have a

hard time getting anyone else to come down for nothing, sir.

Senator Dworshak. Then it might be advisable for this committee to suspend its operations and the investigation of subversive influences in the Department of the Army—would you think that would be a reasonable step to take?

Mr. Cohn. I think it would be a ridiculous step to take, sir.

Senator Dworshak. You do think that this subcommittee and its

staff can function without the services of Private Schine?

Mr. Cohn. I think it can function without the services of Private Schine. I think it can function without the services of Chief Counsel Cohn. The only thing I hope is that the services devoted by both of them have done some little bit to help in what I think is the reason I am down here, the very important work of this committee in getting Communists and security risks out of the vital war plant and defense industries and installations of this Nation.

Senator Dworshak. You are to be commended for that objective, of course, Mr. Cohn, but we will assume every member of this committee, every Member of Congress, and every member of the staff, and all real Americans, are interested in achieving that same goal.

Mr. Cohn. I have no doubt of that, sir.

Senator Dworshak. You think, then, that this committee staff can

function without the services of Private Schine?

Mr. Cohn. I think the committee staff can function without the services of Private Schine, or any one member of the staff now. Whether it can function as successfully as I hope it has, that might be another question.

Senator Dworshak. You say that Mr. Schine was not paid anything for his services by the committee; wasn't that a peculiar cir-

cumstance?

Mr. Cohn. It might be a peculiar circumstance. When he came down here originally he was asked about financial arrangements, and he said he considered it a privilege to serve. And he took a leave of absence from his business and devoted a good deal of time and money to doing what he believed was valuable work in rooting out Communists who had infiltrated in this country. And he did that work for nothing, sir, and——

Senator Dworshak. That answers it. Thank you.

Have any other Americans been employed by the staff without compensation?

Mr. Cohn. Not on a full-time basis by our staff. But I know though, sir, that the Senate Internal Security Subcommittee, which I think has been doing splendid work, has from time to time used people such as David Schine, as unpaid consultants, people who they could get to devote their services for nothing.

Senator Dworshak. Do you think if Private Schine is now in the military service that this committee should continue to utilize him to the fullest extent, his knowledge, his information, and his

services concerning subversive elements?

Mr. Cohn. No. I would say this, Senator Dworshak: I would say that particularly at the beginning stages, whenever possible, in order to function effectively and get the benefit of information which only he has.

Senator Dworshak. Why does he alone have that information? Mr. Cohn. I suppose he alone had that information because he alone worked on certain matters when he was with the subcommittee.

Senator Dworshak. At a time when it was known that there was a good possibility of his being drafted into the military service?

Mr. Cohn. I think well before that, sir. And may I give you some examples of that? Or if this is not the time to go into that—I can give you many examples, and I can produce documentation to

show it, sir.

Senator Dworshak. I was not a member of that subcommittee so I am not acquainted with the details. But it does seem very peculiar to me that a man should, any man, or any person, should be employed on the staff of this committee without compensation, whose services were almost indispensable, because if he were taken away from the staff then it might seriously affect or jeopardize the work of the committee.

Do you thick that that has been the result of Private Schine's

induction?

Mr. Cohn. Of having seriously jeopardized the work of this committee, I can't evaluate that, sir. I think that the thing that seriously jeopardized the work of this committee is the fact that we have been out of business 2 months when we have 130 cases against Communists in war plants which we can't do because of these hearings.

Senator Dwershar. I agree with you on that point. And I think the American people have reached the point where they want action, whether it be in the Department of the Army, or on the part of any congressional committee. In these crucial times, we have not or

should not have any time to use on any extraneous activities.

Everybody wants to root out and expose these subversive elements in the Department of the Army, or any other agency of the Federal Government, and I think the American people are going to demand action forthwith.

Mr. Cohn. My only prayer is that that be done and that that be done fast, Senator Dworshak.

Senator Dworshak. That is all.

Mr. Cohn. I think that when this committee gets back to business and can root out these Communists, whether I am here, or Schine is here, or anybody else, the public interest will be served. And I think that that is what we are all interested in.

Senator Mund. The Chair suggests we run a little beyond 12:30 this morning so that perhaps we can conclude with Mr. Cohn. And

we have Mr. Symington, Mr. Welch, and Mr. McCarthy to be heard. Senator Symington. Roy, several times the question has come up of the 130 people who are in the plants and the delay getting them out of the plants.

Mr. Cohn. Yes, sir.

Senator Symington. Why don't we turn them over as a committee

to one of the other committees that could handle it?

Mr. Cohn. I could think of a lot of reasons for that, Senator. First of all, we have developed the cases, our staff is familiar with them, and our staff is ready to proceed with those matters.

We were all set to go on those, as the committee was advised, when

Mr. Stevens and Mr. Adams tried to put us out of business.

Senator Symington. Let me ask you this question: Have you ever advised the committee, or has anybody advised the committee, about

these 130 people?

Mr. Cohn. Certainly, sir. If I might be specific on that, Senator Symington, I believe Senator McCarthy—and the reason I say this I happened to be there—I heard Senator McCarthy telephone some members of the committee. And I believe, sir, Senator McCarthy wrote a formal letter to the members of the committee, calling the attention of the existence of these cases to the committee and the fact that he had been stopped from exposing these Communists.

Senator Symington. Will you make a copy of that for the record?

Mr. Cohn. I am sure we will.

Senator Symington. Now let me ask you this question-

Senator McCarthy. If I may say so, Senator Symington's office has received a copy.

Senator Symington. I thank the Senator.

Now let me get or make this point about the picture. You saw the picture in New York, and you can't remember whether or not there were more than two?

Mr. Cohn. There is no point of my guessing, sir; I remember Secre-

Šenator Symington. I think that your lack of memory is understandable. I doubt if I would remember whether there were more than two.

Mr. Cohn. I remember—let me put it this way, if I may—with no reflection on Colonel Bradley, I remember the two people who I knew and who were important to me, and I remember Secretary Stevens and Private Schine standing there and smiling at each other, and that is all.

Senator Symington. You were at Fort Monmouth yourself, weren't you, in this meeting?

Mr. Cohn. Fort Dix; yes, and I was there. Senator Symington. There were a lot of pictures taken, and you can't remember whether it was 2 or 4 or what it might be?

Mr. Cohn. No, sir. They could very well find one of me.

Senator Symington. As the result of the suggestion of Mr. Jenkins, or as a result of your suggestion, whichever way it came, this picture was obtained from Mr. Schine; is that right?

Mr. Cohn. I don't even know if it was obtained from him; it was

obtained from his office.

Senator Symington. Now, Mr. Chairman, I would like to ask that a list of all the people involved with this picture, be furnished from the beginning right through to the time it went into the hands of counsel, and that that be made a part of the record.

Mr. Jenkins. Senator, I expected to ask the photographer who took

that picture to furnish that information.

Senator Symington. I would also like to ask that the original film be made a part of the committee record.

Mr. Cohn. I am certainly very agreeable.

Senator Symington. Now, Mr. Chairman, there have been a good many references to Mr. Adams as being possibly the fourth man. I have been looking at the picture and I can't tell from the shoulders and the hand and the hat which is about all that is there, whether it is Mr. Adams, but the average man knows about his hat.

I think we might clear that up and ask Mr. Adams if he was the

fourth man next to Colonel Bradley.

Senator MUNDT. The Chair will have to rule if that question is to be asked; we will have to put Mr. Adams under oath at this time.

Senator Symington. Well, I imagine he would be willing to be put

under oath to give the committee the truth.

Mr. Cohn. I don't know the answer to the question, Senator Symingon.

Senator Symington. But you didn't see it when it was down here?

Mr. Cohn. No, I don't believe I did, sir. Senator Symington. And you did not see it?

Mr. Cohn. No, I don't believe I did, sir.

Senator Symington. Then the picture was taken somewhere, and if there were more than two people in it, somebody cut the picture, is that correct?

Mr. Cohn. Yes, sir, and now here is what undoubtedly happened,

Senator Symington.

I asked for and I accept very full responsibility for this, and I want to make that clear, as between myself and Mr. Jenkins, what I asked for was a picture of Mr. Stevens and Private Schine, and if I had ever seen Colonel Bradley was standing to the side, I didn't remember it. I am glad that I know now, sir, because I hope remembering that we can call Colonel Bradley as one of our witnesses on something else.

Senator Symington. But the picture in Mr. Schine's office is also

going to be made a part of the record.

Mr. Cohn. I am sure it will, and everything we have under our control will be made a part of the record. We then asked for the picture to be sent down and undoubtedly any one on the staff who handled this or the man down in the room, when he was asked for the picture of Stevens and Schine, if he saw someone standing on the side who was not Stevens and Schine probably gave us what we asked for: Stevens and Schine.

Senator Symington. You are going, or somebody is going to let us know who in the staff took the picture down to the photographic room, and whether or not they did or not cut the people in the picture.

Mr. Cohn. Certainly, sir.

Senator Symington. On the question as to whether or not the matters as to whether or not Colonel Bradley was or wasn't in the picture, you used the word, you didn't think it mattered one iota, but you weren't referring to Mr. Stevens' problem of trying to remember whether he had or had not had a picture taken alone with Mr. Schine, is that right?

Mr. Cohn. Senator, I understood Mr. Stevens' problem to be he couldn't recognize Private Schine in that picture, and that is what I was talking to Senator McCarthy about. I couldn't quite understand how Mr. Stevens could not recognize Private Schine.

Senator Symington. You mentioned the question of Mr. Schine working for nothing. You do not in any way criticize people who

cannot afford to work for nothing if they want to eat?

Mr. Cohn. Sir, I take my salary check every month, and I am not criticizing anybody who does not work for nothing. On the other hand, I do not criticize somebody who can afford to work for nothing and who could be paid but says, "I don't want to be paid. It is a privilege to do this kind of work, and I will do it for nothing." I do not criticize either party, sir.

Senator Symington. I would like the record to show, Mr. Chairman, that all the money that was asked for by the chairman of the

committe was voted for by the Senate.

Just one other question. You mentioned the fact that you thought there would be difficulty in getting people to come down to work for the committee for nothing or for salary as a result of this.

Mr. Cohn. Yes, sir.

Senator Symington. Is that right?
Mr. Cohn. Senator Symington, I said that statement, and I made it advisedly. If I could give you, sir, in response to your question one example: Frank Carr, who is sitting close to you, sir, was head of security for the FBI in New York. Frank Carr made the case against the first-string leaders of the Communist Party, the national committee of the Communist Party. Frank Carr had 200 FBI agents working under him. I am one of those. I did not know Mr. Carr well, but I am one of those who went to him and asked him and begged him to come down with this committee as executive director. He refused. I had everybody I knew work on him to get him to come down; and if the result of his being down here is the type of smear and the type of lies to which he has been subjected in this hearing and by this report, I certainly think that any good American is going to think twice before sticking his neck out in that way.

Senator Symington. I would like to ask you another question. This is called the business administration. It has had a lot of fine businessmen come down here to work since the new administration went into effect. The record of Mr. Stevens was known before he came down. How do I think businessmen, based on these hearings, are going to be interested in taking jobs in the Pentagon or in other Government agencies? Do you believe that the same problems which apply with respect to Mr. Carr and Mr. Schine from the standpoint of the desirability of Washington service in these grave days will also apply as a result of the problems that have come up for Mr. Stevens

since he took this job?

Mr. Cohn. There is one very important distinction, Senator Symington. We did not make these charges, these smear charges against Mr. Stevens. He made them against us. I assume no responsibility in that regard.

Senator Symington. I would like for the record to say that I do not remember Mr. Stevens accusing any of the principals on the other

side of blackmail or falsehood.

Mr. Cohn. Mr. Symington, sir——

Senator Symington. I beg your pardon. He did accuse them of falsehood, but to the best of my knowledge he did not accuse them of blackmail. In any case, I think it is a two-way stretch. It may be difficult upon Mr. Carr and Mr. Schine, but isn't it fair to say that it will be difficult to get businessmen to come down to Washington if

this type or character of process continues?

Mr. Cohn. All I can say to you on that, sir, is that we did not initiate these smear charges. They were initiated by Mr. Stevens and by Mr. Adams, and not by us. I never made publicly or privately any statement in derogation of Mr. Stevens, and I never made any statement which could cause him to feel that a charge had been made against him or that he should have any reason to regret having come down to Washington. I might say this, sir, too-

Senator Symington. I am sorry; I haven't much time yet. I asked

a question, and I think you have answered it very well.

Mr. Chairman, I would like to suggest that everybody connected with this picture, since it left Mr. Schine's wall until it was presented by Mr. Jenkins as an accurate picture, be summoned before the committee and put under oath and give exactly what his connection with the picture, if any, was.

Mr. Cohn. Surely. Senator Mundt. That will be done. Counsel has already suggested that we trace the picture down to its source and get all the facts available as to its authenticity.

Mr. Cohn. Yes, sir.

Senator Mundt. Is that all, Senator Symington?

Senator Symington. That is all.

Mr. Cohn. Mr. Chairman, I might say that we will be very glad to do that from our end, and I assume Mr. Stevens will do it from his end, because we do not want any question about the authenticity and we do not want any question about the fact that that is Secretary Stevens standing and smiling at Private Schine.

Senator Mundr. Under the rules of the hearing, I believe, Mr. Welch, you now have 10 minutes if you care to avail yourself of them.

Mr. Welch. Mr. Cohn, I assume you would like it understood that

although I sit at the same table, I am not your counsel. Mr. Cohn. There is not a statement that has been made at this hearing with which I am in more complete agreement, Mr. Welch, although I say I am sure you are a lawyer of great ability and maybe I would be fortunate if I had you as my counsel. I have no counsel here. Roy Cohn is here speaking for Roy Cohn, to give the facts. I have no counsel, and I feel the need of none, sir.

Mr. Welch. In all modesty, sir, I am content that it should appear

from my end that I am not your counsel.

Mr. Cohn. I might say that you are certainly not going to get any

fee from me, Mr. Welch.

Mr. Welch. Would someone hold up what I call the big picture so that this witness can see it?

Mr. Cohn, you have spoken of that picture as representing Mr. Stevens smiling at Schine. Will you look at it now with me?

Mr. Cohn. I would say, sir, if I might answer it that way—

Senator Symington. Could we have Mr. Welch's microphone fixed? Mr. Welch. What is wrong with it?

Senator Symington. We cannot hear you.

Mr. Welch. That is bad.

Senator Mund. Will the electrician see whether the microphone is working in behalf of Mr. Welch?

Mr. Welch. I think the word is "testing." Am I now heard? Senator Mund. Will you tap it and find out? The tap is not taken out of your time.

I do not believe it is working as yet.

Mr. Welch. Once again I have to have some help from someone to hold up this picture.

Mr. Cohn. Why don't we have it brought right up here?

Mr. Welch. That is good enough. Mr. Cohn. Let's have it closer. Mr. Welch. That is good enough.

Mr. Cohn. Mr. Welch, may I confess to a slight case of nearsightedness here, and I hope that is not nearsightedness in connection with my duties, but it is when it comes to these things. I would like to have that right up here.

Mr. Welch. I think you have betrayed some nearsightedness.

Have it as close as you like.

Mr. Cohn. Mr. Welch, I might say here again, I will be very glad to answer your questions here. I don't think I am quite as clever as you are, and I am afraid I am not going to be able to answer your questions.

Mr. Welch. Oh, Mr. Cohn. My question now is this: You have referred to that picture as showing Mr. Secretary Stevens smiling at Dave Schine. Are you now close enough to the picture so that you would like to qualify that statement?

Mr. Cohn. Sir, I will accept your characterization of the picture.

Mr. Welch. It is a grim smile on Stevens' face.

Mr. Cohn. I accept it. If you want to call Mr. Stevens' smile a grim smile, sir, I fully accept what you say. To me it is a picture of Secretary Stevens. If it is a grim smile, so be it. It is a picture of Private Schine. They are standing next to each other. They are facing each other. Their eyes are meeting. They are looking at each other. If the smile is grim or if it isn't grim, I know not, sir.

Mr. Welch. Not too fast, Mr. Cohn; not too fast.

Mr. Stevens is looking to his right, isn't he?

Mr. Cohn. Well, sir——

Mr. Welch. Isn't he? You can answer that one easily.

Mr. Cohn. Mr. Welch, do you want to imply that I am not answering it? You asked me a question, and then you say with the implication as though I can't answer it.

Mr. Welch. Well, answer it. Mr. Stevens is looking to his right,

isn't he?

Mr. Cohn. Sir, if you will give me the chance, I will try to answer it.

Mr. Welch. By all means, sir.

Mr. Cohn. Thank you. The picture, to me, looks as though Mr. Stevens and Private Schine are looking at each other.

Mr. Welch. My question was a simple one. Mr. Stevens is looking to his right, is he not?

Mr. Cohn. Yes, I would say he probably is looking to his right, and Private Schine is standing to his right.

Mr. Welch. On Mr. Stevens' right are two figures, is that correct? Mr. Conn. Yes, that is correct. To Mr. Stevens' right there are

two figures.

Mr. Welch. One is Private Schine?

Mr. Cohn. Yes, sir.

Mr. Welch. And further to Mr. Stevens' right is Colonel Bradley?

Mr. Cohn. Standing sideways.

Mr. Welch. It would take someone with clairvoyance to know to whom Secretary Stevens is looking, would it not?

Mr. Cohn. No, sir. I don't think so. It would take somebody with

commonsense who can look at a picture and see what is in it.

Mr. Welch. I think I observe on Colonel Bradley's face a faint lit-

tle look of pleasure. Do you, sir?

Mr. Cohn. I would say I know that Colonel Bradley had a good steak dinner shortly afterward. Maybe he was anticipating it. I do know that Colonel Bradley looks to me as though he, too, is looking at Private Schine.

Mr. Welch. If Bradley is feeling good about a steak dinner, Schine

must be considering a whole haunch of beef.

Mr. Cohn. Yes, sir, and Mr. Stevens, possibly you might be right, the grimness on his face might have come after Senator McCarthy told him that hearings showing what was going on in Communist infil-

tration in the Army would begin the next Tuesday.

Mr. Welch. Had Mr. Stevens actually said to you that he wanted to fly that big plane over there so he could see a private in the Army?

Mr. Cohn. If you would like me to relate the full circumstances—

Mr. Welch. No. Answer my question.

Mr. Cohn. Mr. Welch, I would be delighted to do so, sir.

May I, Mr. Chairman?

Mr. Welch. Won't you try it "Yes" or "No"? Had Mr. Stevens actually said to you that he wanted to fly that big plane over there so he could see this private in the Army?

Mr. Cohn. That is one of the things which Mr. Stevens said on that

day, yes, sir.

Mr. Welch. Did you also want to see Private Schine on that day?

Mr. Cohn. Oh, yes, sir.

Mr. Welch. Was it a surprise to you when he turned up and met the plane?

Mr. Cohn. Yes, it was a surprise.

Mr. Welch. A surprise?

Mr. Cohn. When he met the plane?

Mr. Welch. A surprise?

Mr. Cohn. I might say it was a surprise, yes, sir.

Mr. Welch. Didn't you expect to see him when you got there? Mr. Cohn. I expected to see him—by the way, have we sufficiently described the smiles?

Mr. Welch. I may want it back, but not at the moment. We will

drop it now.

That leads me to say this to you in line with Senator Dworshak's question: Wasn't it as early as July 15 that Dave Schine felt the hot breath of the draft board on his neck?

Mr. Cohn. I don't know the exact date, sir, when Dave Schine was reclassified.

Mr. Welch. From July 15, you are trying to get him a commission, aren't you?

Mr. Cohn. Trying to get him a commission, sir?

Mr. Welch. Yes.

Mr. Cohn. I believe he applied for a commission, sir. He gave me as one of the references—

Senator McCarthy. Mr. Chairman.

Mr. Cohn. I would be very glad to answer anything Mr. Welch wants to ask.

Senator Mundr. The witness desires to continue without interruption.

Senator McCarthy. A point of order, Mr. Chairman.

Senator Mund. The Chair would like to say that a witness has a right to answer questions. He is endeavoring to answer this question. I do not believe he should be deprived of it by a point of order.

Senator McCarthy. I don't want to deprive him of it. I have a point of order, Mr. Chairman. While I have a great number of questions to ask Mr. Cohn covering this entire procedure, if Mr. Welch is going to go into matters other than the photograph, in my cross-examination I will insist on the same privilege. I have no objection.

I just wanted to notify the Chair of what my position is.

Mr. Jenkins. It was originally stated when Mr. Cohn was put on the witness stand, that he would be questioned and cross-questioned exclusively about these photographs. I must say, in all candor that the members of this committee have gone beyond that scope of investigation. It is a difficult thing for a lawyer to sit and object to a question made by a judge, and I confess my dereliction of duty in failing to do so. The subject of this inquiry should properly be confined to the photographs in question.

Senator McCarthy. Mr. Chairman, may I make it clear in my point of order that I have no objection to Mr. Welch going as far as he wants to, and I merely want to notify the Chair that if he goes afield then I will claim the right to examine on the same subjects.

Senator Mund. May the Chair say to Mr. Welch, that while there has been considerable latitude in deviation, I believe that the point of order is well made, because we do not want to deprive Mr. Stevens of the right to finish his testimony indefinitely, and if we go too far afield in questioning Mr. Cohn at this time, that would be the result.

We are all aware of the fact that Mr. Cohn will be a witness at considerable length a little later, and the Chair would appreciate it, sir, if you would confine your questions to things relative to the photo-

graphs.

Mr. Cohn. May I make one point here?

Senator Mundt. You have a right to answer that last question.

Mr. Cohn. I want to make the one point, not only with reference to the last question but with reference to the statements made by Mr. Stevens, on November 17, about going to see Dave Schine and other things. A good deal was said on November 17, and I don't want by this ruling now to have Mr. Welch say to me when I am on the stand later, that I said that the only thing Mr. Stevens said

on November 17 was he wanted to fly down to Fort Dix to see Dave Schine. Mr. Stevens said a good many things.

Senator MUNDY. The Chair will not sustain such a point of order

in the remote event that Mr. Welch does that.

Mr. Cohn. I don't want Mr. Welch to say I am doctoring my testimony at that time. A lot more was said on November 17 and I welcome the opportunity to tell what it was.

Senator Mundt. Proceed, Mr. Welch, now that you are-

Mr. Welch. Could I inquire how much time I have on this go-

Senator Mundt. I will find out. I find that you have about 3 minutes.

Mr. Welch. Mr. Cohn, can you tell us whether or not the photograph that was brought into this room yesterday was blown up by your staff?

Mr. Cohn. I don't believe it was blown up by our staff, Mr. Welch, I don't think they know how to blow it up. I believe it was sent

down to a photostat room some place, and blown up.

Mr. Welch. My question is this: Was the photograph that you saw on the wall of Dave Schine's office as big as the one that was

handed to Mr. Jenkins?

Mr. Cohn. Oh, no, it was not, sir. I think the photograph on Dave Schine's office as I recall it, was a regular size, I just don't know what the regular dimensions are of the photograph which was framed on the wall of his office.

Mr. Welch. So someone saw fit not only to take a photograph from Dave Schine's office, but to blow it up before it was handed

to Mr. Jenkins.

Mr. Cohn. I believe Mr. Jenkins asked me to have it blown up so that it would be large enough for everybody to see.

Mr. Welch. If so, Mr. Jenkins, I would bow to that.

Mr. Cohn. I think there is nothing wrong in that. Mr. Welch. Mr. Jenkins, in my book, can do no wrong.

Could I pass the rest of my time, and come back to this witness? Senator Mundt. You will have another time if we have another go-around and you may stop any time you care to.

Mr. Welch. I think that I would like to.

Senator Mundt. The Chair interprets, as he interprets the rules of procedure, that the next questioner to be called upon, will be Senator McCarthy, unless Mr. Cohn prefers to ask questions of himself, because he has no counsel.

Mr. Cohn. By not having a counsel, sir, I am afraid I am proving the old adage that one who is his own lawyer has a fool for a client,

and I will not compound it by being my own witness.

Senator MUNDT. The Chair will now interpret the rule that Senator McCarthy will have 10 minutes to question Mr. Cohn.

Senator McCarthy. A number of things came up here having

nothing to do with the photograph.

Senator Mundt. Can we have the Senator's microphone turned on,

Senator McCarthy. Mr. Cohn, Mr. Symington was inquiring as to whether or not you felt that businessmen might be reluctant to come down here in case they got involved in a hearing of this kind. Is it correct that we were warned not once, but repeatedly, that unless we called off the hearings on the investigation of communism into the Army installations, that there would be reports made public attacking you, and attacking me, and embarrassing the committee?

Mr. Cohn. That is absolutely so, sir; yes.

Senator McCarthy. When we were so warned, we discussed that in detail, and decided that we would tell those who were warning us in effect to go to the devil; is that right?

Mr. Cohn. I think it is more than "in effect"; I believe those were

your exact words, Mr. Chairman.

Senator McCarthy. Now, there was also some criticism here, I believe, that Mr. Schine served without a salary. I assume you are aware of the fact that one of our great Presidents, Herbert Hoover, turned his check back, and served gratuitously for years. And we have had a great number of dollar-a-year men in Washington during the war, and that Mr. Welch, sitting at your left, according to the newspapers, is serving without a salary.

Mr. Cohn. That is a fact, sir; and I think that I am sure Mr. Schine would not want to be placed in the same company with any distinguished men or distinguished lawyers. He is a young guy who came down here and worked for nothing for the committee, and worked long and hard and did a good job. I think he would want to

have the record stand at that.

Senator McCarthy. Now, Mr. Cohn, just one question on the picture.

Senator Mundt. Will the Senator lean forward?

Senator McCarthy. I understand the only connection you have had with this picture was to order that a picture of Mr. Stevens and Mr. Schine be obtained by the staff, and it be blown up so it could be used by the committee?

Mr. Cohn. That is right.

Senator McCarthy. You did not see the negative and you did not see anything except what you saw in Dave Schine's office, plus the picture that was shown here?

Mr. Cohn. That is right, and what I saw in Dave Schine's office, that is my recollection, and what I saw in Dave Schine's office was

not blown up, it was a regular picture in a frame.

Senator McCarrhy. I understand that, and Mr. Carr had not seen this picture, is that correct?

Mr. Cohn. As far as I know, he had not.

Senator McCarthy. As far as you know, he had not seen this picture and did not know the picture would be introduced?

Mr. Cohn. I am sure he didn't even see the original in Dave Schine's

office.

Senator McCarthy. The instruction I have given the staff is to give Mr. Jenkins all of the information you have in the office?

Mr. Cohn. That is right, and we have sent this up as well as other

items.

Senator McCarthy. Now, on the question, Mr. Cohn, just so the record will be straight, I asked Mr. Jackson to read this question into the record, and he refused, and he had a right to do that, and I want to read the question as asked by Mr. Jenkins into the record, on page 433, and this has to do with the question of whether or not Mr. Stevens was asked whether the picture was taken alone:

Question:

Mr. Stevens, did you ever have your photograph taken with G. David Schine? Secretary Stevens. Well, there were a lot of photographers around down there at that hearing, and it could be.

Mr. Jenkins. But did you ever at your suggestion at a meeting anywhere, any time, say that "I want my picture taken with David" and have it done?

Secretary Stevens. I am sure that I never made a statement just like you made it there.

Mr. Cohn. He did make that statement, sir. Senator McCarthy. I heard it, too.

I mean, if there was a picture being taken and there were people around, I might be very apt to say, "Well, let us all step in here and have a picture," but I do not think that I ever made any demand to have my picture taken with David Schine.

Mr. Jenkins. I did not say "demand," but was your picture after David Schine

was drafted ever taken with you alone at your suggestion, anywhere?

Secretary Stevens. After he was drafted?

Mr. JENKINS. Yes.

Now, Mr. Cohn, is it correct in the presence of myself, and in the presence of David Schine, and in the presence of Mr. Carr, Bob Stevens did call the photographer over, a military photographer, and say, "I want my picture taken with Dave," and that he did call Dave over beside the plane, and that the picture was of him and Dave, and that the other colonel was on the picture or John Adams, or whoever else it was, made no such request, and they were only incidentally in this picture?

Mr. Cohn. Yes, sir, my recollection of it, sir—and I know since this whole thing started, that is one of the first things we talked about, the fact that first Mr. Stevens at the November 6 meeting, when he had the place set for Dave Schine, was sorry he wasn't there-

Senator McCarthy. Just stick to this testimony.

Mr. Conn. On this thing, sir, Mr. Stevens stated that he wanted to have a picture taken of himself and Dave. And you heard it and I heard it, and Frank Carr I know particularly heard it.

Senator McCarthy. I have only got 10 minutes, so keep your an-

swers short.

Mr. Cohn. Yes, sir.

Senator McCarthy. Did the colonel at any time ask to have his picture taken with Dave?

Mr. Cohn. I do not believe he did, sir.

Senator McCarthy. And Mr. Adams, and whoever the fourth man is, did not ask to have a picture taken with Dave?

Mr. Cohn. I don't think so. Mr. Stevens is the one who made the

statement.

Senator McCarthy. I have nothing further, Mr. Chairman.

Senator Mundt. May the chair inquire of the other members of the committee, of Mr. Welch, and Mr. McCarthy, whether we have now concluded with Mr. Cohn's testimony on this particular point, so that when we resume after lunch, we can begin with Mr. Stevens again, or whether there are other committee members who would like to be heard now at this point?

Senator McClellan. The only thing I would suggest is that Mr. Cohn identify the parties who gave the warning before he left the

stand.

Mr. Cohn. Give the what?

Senator McClellan. Who gave the warning that elicited the directions given by Senator McCarthy?

Mr. Cohn. John Adams, sir. Senator McClellan. That is all.

Senator MUNDT. Have you any further questions?

Mr. Cohn. You mean, Senator McClellan, the warning about what was going to happen to us unless we stopped the investigation?

Senator McClellan. That is right. You said you were warned, and the Senator asked you that if you didn't stop the hearings.

Mr. Cohn. That will be developed fully in our case and I believe

those statements came from John Adams, sir.

Mr. Jenkins. I have no further questions. Before this inquiry with respect to this particular photograph is closed I have one other witness who will require not more than 5 minutes of the committee's time, and in my opinion before the adjournment, and I should like to have the indulgence of the committee to introduce that witness.

Senator Mundt. May the Chair inquire whether we have concluded

with this witness?

Mr. Jenkins. As far as I am concerned.

Senator Mundt. Do any of the Republican members have any further questions to ask?

Does Mr. Welch have further questions to ask?

Mr. Welch. I did have 1 or 2 more.

Senator Mundt. You have another 10 minutes.

Mr. Jenkins. Would you indulge me, Mr. Welch, to permit me to put on 1 witness who will require no more than 5 minutes in my opinion?

Mr. Welch. Of course, I will.

Mr. Jenkins. Thank you very much. Then may I do so?

Senator Mundr. Provided Senator McCarthy has no further questions to ask.

Senator McCarthy. I have no further questions.

Senator Mundt. Will you step aside, Mr. Cohn, and counsel will call another witness.

Mr. Jenkins. The next witness is myself. I deem it proper to make a statement under oath with respect to this photograph and I think it is proper that this committee hear. I should like to be sworn.

Senator Mund. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Jenkins. I do so help me God.

Senator Mundt. You may testify from where you are.

TESTIMONY OF RAY H. JENKINS

Mr. Jenkins. I desire to make this statement with reference to the photograph about which I cross-examined the Secretary yesterday.

It is a part of my duty not only to act as counsel for this committee but in doing so to investigate the facts. The first several days after I was employed were spent by me in investigating the side of this controversy sometimes referred to as the Army's side. Necessarily I have had to be at these committee hearings during the two sessions in the daytime and spend a great deal of time in the evenings with the committee in investigating its side.

Pursuant to that duty and in order to enable me to present the facts to this committee as fairly as I know how, I have after each afternoon's session spent considerable time in the office of Mr. Cohn, some 3 or 3½ hours last evening, some considerable time last week. In the course of my conversations with Mr. Cohn he told me of more than one request by the Secretary to be photographed with Mr. Schine. He told me that he had documentary evidence to substantiate that charge. I considered it extremely important in the determination of

one of the issues at least in this controversy.

Pursuing that question, Mr. Cohn advised that there was in existence a picture of the Secretary and Mr. Schine. Please bear in mind, gentlemen of the committee, to whom I am addressing my remarks, that after 4 hours in court, so to speak, at which time one is somewhat exhausted, it is utterly impossible for any human being in my opinion to remember every word that was said. In all fairness to the Secretary and his distinguished lawyer, and in all fairness to Senator McCarthy and his aides, I will not here say definitely or positively one way or the other that Mr. Cohn told me that the picture which was in existence of the Secretary and of Mr. Schine was a picture of them alone. I remember distinctly that I considered it important enough that I requested the picture be furnished me.

I want here and now to intersperse parenthetically and state this: That Mr. Welch has cooperated with me in the furnishing of all the witnesses and every document that I have called for 1,000 percent. I

can say the same thing for Mr. Cohn.

I requested this photograph. I had seen the photograph some day or so before I presented it, because I did not know when I would be called upon to question or cross-question the Secretary of the Army. Nothing was said to me, I am sure, about the photograph being altered, changed, edited, or otherwise. I accepted it at its face value. I called the committee's attention to this fact, which I think probably may be significant. I first asked Mr. Stevens about this photograph when it was not before me. The members of the committee know that. I asked him whether or not he had been photographed with David Schine. Then I called upon my aides to produce the photograph, and it was done so.

I next asked whether or not he was photographed with David Schine alone. Whether I asked that he was photographed with David Schine alone as a result of anything that Mr. Cohn may have said I do not know. Whether I asked that question as a result of having the photograph before me when I asked the second question showing the

two of them alone, I do not know.

Gentlemen, that is my version of that incident, with this further statement: That I would not under any circumstances present to this committee a spurious document. No intimation has ever been given me by Mr. Welch or Mr. Stevens or Mr. Adams that I would be handed a document that was not genuine and authentic. No intimation has ever been made to me by Mr. Cohn or any member of his staff that any document would be handed to me for use on direct or cross-examination that was not authentic and genuine.

Now I shall be glad to submit to any examination or cross-examin-

ation by anyone interested.

Senator Mundt. The Chair has no questions. Senator McClellan. Senator McClellan. Just one point which I think Mr. Jenkins might clarify. At the time you questioned Secretary Stevens were you under the impression that it was a picture of the two alone?

Mr. Jenkins. At the time I questioned Secretary Stevens I had not talked to Mr. Cohn. My questioning of Secretary Stevens consumed some 5 or 6 hours. I could not in the nature of things remember whether or not he was asked or whether he told me about any photographs taken of him and Mr. Schine. I do say that at that time I had questioned no one on Senator McCarthy's staff. I had not heard their version of this controversy.

Senator McClellan. I wasn't suggesting that you had talked to them, but the way you presented the picture and interrogated Secretary Stevens about it rather indicated to me you thought that that was the complete photograph at the time you questioned him.

Mr. Jenkins. Senator McClellan, you are entirely correct. I repeat, in order to be absolutely fair to all concerned, that I will not say that Mr. Cohn said that the photograph was taken of Mr. Stevens and Mr. Schine alone. It may have been that I got that impression from Mr. Cohn. I cannot say yea or nay. It may have been that I got the impression from the photograph when it was handed to me by either Mr. Thomas Pruitt or Mr. Charles Maner, who sit at by back hearing the examination of these witnesses.

Senator Mundt. Any further questions, Senator McClellan?

Senator McClellan. No further questions.

Senator Mundt. Senator Dworshak?

Senator Dworshak. No questions.

Senator Mundt. Senator Jackson is not here. Senator Symington?

Senator Symington. No further questions.

Senator MUNDT. Mr. Welch? Mr. Welch. No questions.

Senator Mundt. Senator McCarthy?

Senator McCarthy. Just one question only.

Mr. Jenkins, up to this point you and I have never discussed this case, and we have never met except in the committee room. Is that right?

Mr. Jenkins. You are entirely correct. Mr. Cohn and I have met on several occasions, and Mr. Cohn has assured me that you will be

available to me when the proper time arrives.

Senator McCarthy. In other words, up to this point the only contact you have had with me or my staff is that the staff has been instructed to and has made available all material and they have told you

that I will be available if and when you want to talk to me.

Mr. Jenkins. I have contacted Mr. Cohn, Mr. Carr, and Mr. Juliana, and perhaps 1 or 2 others on your staff. I have heretofore stated, Senator, that they have cooperated 1,000 percent. They have furnished me or promised to furnish me every document that I have called for. They have stated that you will be available when you are called for.

Senator Mundt. Is that all, Senator McCarthy?

Senator McCarthy. Just this one other thing. Mr. Jenkins, in view of the fact that so much has been made of this photograph, plus the fact that a number of photographers were there taking pictures—

I think there were 2 or 3 Army photographers—it might be well to ask for the production of all pictures taken that particular evening and have them all introduced in the record. I personally don't see any great significance in the colonel standing here in the picture. It may be considered significant by some. I think it is unfortunate that his picture and the picture of Mr. Adams or whoever was there was not included. I think it should be. I would like to suggest to the Chair that they subpena all pictures taken that evening.

Mr. Jenkins. In the presentation of the facts of these issues it is my aim to subpena and have brought to this committee every document, photograph, and memorandum that I think will shed any light upon the issues of the controversy. I promise that that will be done, and the committee has requested of me that I have the very things you have spoken of, Senator, subpensed and brought before this com-

mittee. That will be done.

Senator McCarthy. Do I understand, Mr. Jenkins, that you have

already decided to do what I have suggested?

Mr. Jenkins. I have just stated that the committee has already suggested to me that that be done, and it will be done.

Senator McCarthy. Very good. Senator Mundr. Is that all, Senator McCarthy?

The Chair will now exercise his authority to unswear counsel from his ephemeral position as a witness and ask Mr. Cohn to return so that Mr. Welch may resume the interrogatories if he has some further interrogatories.

Mr. Welch. I think this subject need not now be pursued further. Senator Mund. The Chair will then dismiss Mr. Cohn, and we will recess until 2:30. Mr. Stevens will be the witness at 2:30.

(Whereupon, at 1:10 p. m., the hearing was recessed until 2:30 p. m. of the same day.)

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SPECIAL SENATE INVESTIGATION ON CHARGES
AND COUNTERCHARGES INVOLVING: SECREFARY OF THE ARMY ROBERT T. STEVENS, JOHN
G. ADAMS, H. STRUVE HENSEL AND SENATOR
JOE McCARTHY, ROY M. COHN, AND
FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 189

PART 8

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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE MCCARTHY, ROY M. COHN, AND FRANCIS P. CARR

TUESDAY, APRIL 27, 1954

United States Senate,
Special Subcommittee on Investigations of
the Committee on Government Operations,
Washington, D. C.

AFTER RECESS

(The hearing was resumed at 2:40 p. m. pursuant to recess.)
Present: Senator Karl E. Mundt, Republican, South Dakota, chairman; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, Chief Counsel to the Subcommittee; Thomas R. Prewitt, Assistant Counsel; Ruth Y. Watt, Chief Clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Honorable Robert T. Stevens, Secretary of the Army; John G. Adams, Counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator Munder. The committee will come to order, please, and may I remind our guests in the committee room that it is a strict committee rule that no one should make any manifestations of approval or dis-

approval during the course of the hearings.

May I say to our friends on the television and radio, that we are late in beginning because of a rollcall vote that was called for on the floor of the Senate. They are voting today on the wool bill and it may be possible we will be interrupted again, but we are hopeful that there may possibly now be 2 hours of uninterrupted committee proceedings.

Mr. Stevens is back on the witness stand, and we have just completed one round of the interrogations, and if the counsel has ques-

tions at this time, he may ask them.

Mr. Jenkins. I have no further questions, Mr. Chairman.

TESTIMONY OF ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Senator Mundt. The Chair will resume with his 10-minute allotment of time.

At the conclusion of the hearings yesterday, Mr. Stevens, the Chair suggested to you that insofar as your testimony of your personal knowledge was concerned, he thought in all fairness to you and to Mr. Carr you should come back teday after searching your memory and your records to particularize the times and places when in your opinion Mr. Carr acted improperly in an effort to get a commission for Mr. Schine or to get him preferential treatment, and that if you are not able to particularize those charges on your part, that perhaps insofar as you were concerned you should withdraw them.

That does not mean, sir, that they will be withdrawn on the part of all of the people associated with you, it would not mean exoneration of Mr. Carr, but in order that the committee can evaluate the charges and engage in correct cross-examination, it is imperative that we

have specific charges rather than general allegations.

So may I ask you now, after having had a chance to consult your records and refresh your memory, whether you are able to particularize the times and places when, in your opinion, Mr. Carr acted improperly?

Secretary Stevens. I thought, Mr. Chairman, that I answered that

question this morning.

Senator Mundt. If you did you may repeat it because the chair

didn't get your answer that would satisfy him.

Secretary Stevens. I said substantially as follows, Mr. Chairman; I have searched my memory and my conscience and I have also talked to Mr. Adams who will be a witness here. If the only evidence in respect to Mr. Carr was the happenings of October 2, and if I were his judge, as you are, I would acquit him. But there is more evidence to come, and I think his fate must await the end of the case when all of the evidence is in.

Senator Mundt. I certainly quite agree that the fate of Mr. Carr

must await the accumulation of all of the evidence.

Let me ask you now directly, then, that insofar as you are concerned, do you now make any charges of improper behavior against Mr. Carr on the basis of your own personal relationships with Mr. Carr; and if so what are they?

Secretary Stevens. Well, Mr. Chairman, I still think that I have answered the question. I have said that if no more evidence comes in

with respect to Mr. Carr, then—

Senator Mundt. Now you are endeavoring, if I may suggest respectfully, to advise the committee how we should act as judges, and I am asking you, sir, as a witness, in whose name charges were preferred against Mr. Carr, as to whether you to your own personal knowledge and personal relationships, now want to make charges against him, and if so what are they?

Secretary Stevens. I said that I have searched my memory and searched my conscience, and I do not have available direct quotes from

Mr. Carr on October 2, and at the same time-

Senator Mundt. He is mentioned, I think, in your statement of particulars, and specifications, 3 or 4 times.

Secretary Stevens. We were talking about October 2.

Senator Mundt. I am talking about now, the whole experience of

Mr. Bob Stevens with Mr. Frank Carr.

Secretary STEVENS. Well, my answer is that when all of the evidence is in, if there is nothing except what transpired on October 2, then I would withdraw it.

Senator Mund. Let me put it this way, because all of the evidence is not in, but on the basis of the evidence that is now in, and on the basis of your own personal knowledge, are you charging that Frank Carr acted improperly in his relationships with you?

Secretary Stevens. I am not changing the bill of particulars, if

that is what you mean, Mr. Chairman.

Senator Munder. You are at liberty to particularize them if you have charges to make against him, so that the committee can evaluate them.

Secretary Stevens. I have said that I could not from my memory, after searching as hard as I know how to get all of the facts out here, put a quote of Mr. Carr as of October 2. That I cannot do.

But that is quite a different thing from asking me to make the unequivocal statement that from my point of view, Mr. Carr is not

implicated.

Senator Mund. If he is implicated, certainly the committee is within its rights to ask you to tell us how he is implicated insofar as your own personal relationships with him are concerned.

It does not mean if you say that you cannot implicate him as a result of your personal associations, that others of your associates

might not well implicate him.

But we have to take witnesses one at a time. We have to find out from you, in sworn testimony, what it is, if anything, you charge against Mr. Carr.

Secretary Stevens. Well, I think that I know several things.

Senator MUNDT. Then tell us.

Secretary Stevens. Well, I wasn't allowed to put it in because it

comes from other sources.

Senator Munder. That is right. I am asking from your own personal knowledge and your own personal relationships—testimony to which you can swear because you know it is true because you were there.

Secretary Stevens. Well, I told you I cannot give you a direct quote

from Mr. Carr.

Senator Mund. Can you paraphrase a quotation?

Secretary Stevens. No, sir. I said yesterday that Mr. Carr made no effort to stop the conversation, and he certainly was approving so far as I could tell what was being said; and I, therefore, stand on my statement that, if no further evidence is developed during this hearing that implicates Mr. Carr, then I would think he could be acquitted on the basis of his part in the October 2 meeting.

Senator Mundt. Now, the Chair believes that, just as we have tried to explore with you whether you have specific charges to make against Mr. Carr, we should try to get out here in the light of day specifically your charges against each of the other two officials against whom allegations were made, to wit, Senator McCarthy and Mr. Cohn.

I believe the testimony—have you a point of order?

Senator McCarthy. Mr. Chairman, I have a question of the Chair. In view of the fact that specification No. 4 can be testified to only by Mr. Stevens, and he has stated now he can't recall any conversation——

Senator Mundt. May the Chair respectfully remind the Senator from Wisconsin that that is not a point of order, and I think it is a perfectly proper question that the Senator from Wisconsin might

want to address to Secretary Stevens at his own time.

Senator McCarthy. I am addressing a question to the Chair. The question is this: In view of the fact that Mr. Stevens is the only man who can testify to the allegation against Mr. Carr on the count No. 4, in view of the fact that he has no recollection now of any conversation between him and Mr. Carr, what is the procedure? Is it up to Mr. Carr or to me or to the Chair or to counsel for the committee to move that that count be stricken because, obviously, there is no one else who can sustain that count?

If untrue, it is a vicious smear against Mr. Carr, and untrue it should not rest; and I would like to know what the procedure is, not only for this count but for further counts—and assume there are counts in our specifications that are proven completely untrue during the

course of the hearing, so there is no dispute.

What will the procedure be? Will they stand until the end and

have it—

Senator Mund. The Chair will rule, unless he is overridden by his colleagues on the committee, that we are not going to decide the case piecemeal, or count by count, but that all of this will be made a part of the record and be considered by the committee at the time we make our final adjudication.

Senator McCarthy. Could I ask this, Mr. Chairman? And I don't want to take your time; we have wasted too much time already

through no fault of the Chair.

Could I ask Mr. Jenkins, now, we are going to run into a number of counts in which it will appear as we go along that there is no evidence whatsoever to sustain them.

Mr. Jenkins, as you know in a court you would move to have the counts stricken, and I just wonder if that wouldn't be a good procedure

here. Possibly we might—

Senator Munder. The Chair has already ruled on the point of order, and unless he is overruled by his colleagues the ruling will stand.

Senator McCarthy. I will not appeal from the rule.

Senator Munder. Now I am turning to the part that Senator Mc-Carthy played, specifically as to your knowledge. Please remember, I am not trying to ask you to present the whole case contained in your specifications now, but only you can testify as to what there is in these specifications as to your own knowledge. You cannot testify correctly and completely to anything which is not of your own knowledge, quite obviously. So we turn now to Senator McCarthy.

The charges, as the Chair understands them, fall into two halves: That improper means were taken in the first instance before Private Schine was inducted into the Army to get him a commission; and secondly, after he was inducted into the Army, improper means were

taken to get him preferential treatment.

Is that substantially correct?

Secretary Stevens. I would think so; yes, sir.

Senator Mund. Let's address ourselves, then, to the first part, before Private Schine was inducted into the Army, and will you detail for us what improper means were employed by Senator McCarthy at that stage of the period? I think you testified yesterday in response to some interrogatories I made about the telegram, that there was at least one effort made by him, which means there was one or possibly more. Is that correct?

Secretary Stevens. Yes, sir.

Senator Mundt. We know what the one was, because you have testi-

fied to that. There is no need to reiterate.

Have you had a chance to refresh your memory as to what the second and the third and the fourth, if there were others—what other improper means were taken except the first request, if that was improper?

Secretary Stevens. I think, Mr. Chairman, I have testified pretty

fully on all the contacts with Senator McCarthy.

Senator MUNDT. Correct. But I am trying now to get this thing identified so we can all see it. Were there other efforts on the part of Senator McCarthy which in your opinion were improper, which were made to you as Secretary of the Army prior to the time that Private Schine was inducted into the Army, besides the one referred to in the telegram that we discussed yesterday, when I asked you then, "Is that the only one?" and you corrected the Chair and said, "I would say there was at least one."

That implies to me that there might be more. Have you found one? Because if there are others, we should know what they are. If there

are no others, we should know that.

Secretary Stevens. At least one, is my recollection of it, Mr. Chair-

Senator Mund. At the present time you are are not prepared, then, to suggest a second or a third or to identify them?

Secretary Stevens. Not now; that is correct.

Senator Munder. Now let's turn to the second part of Private Schine's history. After the time he was inducted into the Army, can you relate specifically the times and the means employed by Senator McCarthy which you considered improper, to get a preferential treatment?

Secretary Stevens. Frankly, Mr. Chairman, the questions you ask me are extremely difficult. I came here and testified at great length on all of these matters, and I am taxing my memory to the very limit and probably beyond its ability to retain, because the amount of questioning to which I have been subjected since I first appeared here is such that frankly it can weaken some of the memories that were so strong when I first started.

I would feel that I would have to refresh my memory with respect to the testimony that I have already given, and I would like to handle

it in that way if it is agreeable to the committee.

Senator Mund. Would it be agreeable to the Secretary and to the committee if you were to take the time to write them out so we could have them before us at one particular time? You see, the difficulty we encounter is this: You had a great many associations with Senator McCarthy. Some of them you said were strictly social. Some were instances where you primarily went to discuss the situation at Fort

Monmouth, and the conversations about Private Schine were incidental. Some were apparently especially devoted to Private Schine.

We face the difficult task of trying to determine which, if any, of those contacts were improper, because that is the basis of the charge. You are not charging that simply speaking once to you about a commission was improper, but you are charging that pursuing it with undue diligence was improper.

We have eliminated that part. That is prior to the induction. We

are talking now about since his induction into the Army.

Secretary Stevens. Mr. Chairman, what you have really asked for, I take it, is a recap of the testimony I have already given insofar as it affects my contacts with Senator McCarthy in regard to Schine. I will be very glad to recap that and submit it as soon as I can.

Senator Mundr. My time has expired, so I cannot follow through.

I will have to wait until my next 10-minute period, I am sorry.

Senator McClellan?

Senator McClellan. Mr. Secretary, I am not quite clear as to the date that this conversation took place between you, Mr. Cohn, and Mr. Carr at which time you say you are unable to recall anything specifically that Mr. Carr may have said. What date and where did the conversation occur?

Secretary Stevens. October 2 in my office, Senator McClellan. Senator McClellan. In your office. Was that engagement made or conference arranged for by you or by whom? At whose instance? Secretary Stevens. It was by the instance of Senator McCarthy's

staff.

Senator McClellan. Who? Name them. We have a lot of people on the staff.

Secretary Stevens. I would have to check and find out on that.

Senator McClellan. You did not initiate it, then?

Secretary Stevens. No, sir.

Senator McClellan. You can testify to that?

Secretary Stevens. Yes, sir.

Senator McClellan. Who came, just Mr. Carr and Mr. Cohn?

Secretary Stevens. That is right.

Senator McClellan. You say you are unable to recall anything that Mr. Carr may have said or even that he said anything regarding this matter of Mr. Schine at that time, but Mr. Cohn did talk to you about it.

Secretary Stevens. Mr. Cohn did, definitely.

Serator McClellan. Did Mr. Carr make known to you at that time that he had any other business with you? Did he talk to you about anything else at that time?

Secretary Stevens. We had a discussion in the first instance about

the forthcoming Fort Monmouth investigation, Senator.

Senator McClellan. Then he may have been interested in only that part of the conversation.

Secretary Stevens. That is possible.

Senator McClellan. You do not know. At least, the other things were discussed besides the matter of Mr. Schine?

Secretary Stevens. That is right.

Senator McClellan. I want to go back to where I concluded yesterday because of limited time and because of interruptions.

I asked you yesterday and point out that you did have the power to grant Mr. Schine a direct commission.

Secretary Stevens. I did.

Senator McClellan. But that you did not do? Secretary Stevens. I did not do that; that is right.

Senator McClellan. All right. The charge against you is that you did many of these things or did a number of things trying to influence the committee to stop the investigation at Fort Monmouth, and as a part of that charge or to substantiate that charge the different occasions when you have been the guest of Mr. Schine or that you have had him as your guest and having your picture made with him, and those things have been pointed out as circumstances that might tend to corroborate the charge that you were undertaking to use influence in order to induce Senator McCarthy and his staff not to pursue the investigation further. As I recall, you did attend a breakfast at Mr. Schine's father's apartment in New York.

Secretary Stevens. That is right.

Senator McClellan. You also attended a dinner, a formal dinner, I believe, given in honor of David Schine by his father. Is that correct?

Secretary Stevens. I do not know who it was in honor of. I at-

tended a dinner.

Senator McClellan. Don't you know now that it was given by his other?

Secretary Stevens. I am pretty sure it was.

Senator McClellan. You accepted an invitation to that dinner and did attend.

Secretary Stevens. Senator McCarthy invited me.

Senator McClellan. You also have invited Mr. Schine to come to your office for lunch; is that correct?

Secretary Stevens. I do not recall ever having done that.

Senator McClellan. The charge is made that you did. Do you say you did not?

Secretary Stevens. My office might have. I don't recall ever hav-

ing extended an invitation myself.

Senator McClellan. Did you include Mr. Schine as your guest at the time that you arranged for Senator McCarthy and his staff to have the privileges of your club in New York?

Secretary Stevens. Oh, yes.

Senator McClellan. Was Mr. Schine included in that invitation?

Secretary Stevens. He was.

Senator McClellan. And he did participate in your hospitality?

Secretary Stevens. That is right.

Senator McClellan. Have you any explanation, Mr. Secretary, why you did all these things, accepted these invitations and had these associations under those circumstances, if you were not trying to influence the committee in some action?

Secretary Stevens. Yes, sir. I would like to have——

Senator McClellan. That is the charge against you, and these things are being produced in evidence tending to substantiate that charge. If you have any explanation for it, your own explanation, I think now is the time to give it.

Secretary Stevens. All right, sir. The fact of the matter is very simple: that I believe in cooperation with Senators and Congressmen

and with the committees of the Congress. I feel that it is my duty and privilege to cooperate, to the limit of my ability, and what I have attempted to do from the very first time I heard that Senator McCarthy was interested in any matters affecting the Army—and that date was September 4, the first time I heard it—I did those things which I could do in line of cooperating with Senator McCarthy, his staff, and his committee to the end that we could get on with the business, and for no other reason.

Senator McClellan. You were not then according these favors in the nature of invitations to lunch and taking them to lunch, and accepting in turn invitations from them, for the purpose of trying to develop such a close association that you might have some influence

over them to stop the investigation then underway?

Secretary Stevens. No, sir; positively not.

Senator McClellan. Now, you asked this morning about this picture. May I inquire if it is not the custom and the practice, almost universal so far as I have observed, that wherever you go as Secretary of the Army, to any post, that there is always there someone to take pictures on your arrival?

Secretary Stevens. Yes, sir.

Senator McClellan. Was there anything unusual about the picture taking on the occasion that developed the picture that is in controversy?

Secretary Stevens. Nothing that I know of.

Senator McClellan. Did you give any instructions at that time to any photographer with respect to whose picture he should take, when, where, or how?

Secretary Stevens. I don't recall any such instruction at any time. Senator McClellan. How many pictures were taken that day?

Secretary Stevens. I don't know that, sir.

Senator McClellan. Did you give any instructions as to limiting the number or did you undertake to have a larger number made than on any other occasion?

Secretary Stevens. I didn't do anything of that kind; I was interested in getting off the ground and on the way to Washington and

I was there a very limited number of minutes.

Senator McClellan. One other thing that you have testified to occurred at that time, and that is the anger or displeasure of Mr. Roy Cohn. How do you tell us that he was angry, and by what observations did you come to that conclusion, if he did not talk to you about it personally?

Secretary Stevens. I think sometimes you can tell, Senator Mc-

Clellan.

Senator McClellan. That is at Camp Dix, I believe, or Fort Monmouth?

Secretary Stevens. Fort Monmouth, that is right.

Senator McClellan. All right.

Secretary Stevens. You can very quickly tell when a person is put

out, or mad or angry. It sort of sticks out all over them.

Senator McClellan. That may be true, but in court when you say that he was angry, what evidence of anger did you observe? Can you define it, describe it, or what did he do that caused you to think he was angry?

Secretary Stevens. I would say that he sulked.

Senator McClellan. He what?

Secretary Stevens. I would say that he sulked.

Senator McClellan. Sulked? Secretary Stevens. Yes, sir.

Senator McClellan. Had he been very talkative before and then ceased to talk, is that what you mean?

Secretary Stevens. Yes, sir; that is a reflection of it.

Senator McClellan. Then you also had information from others who overheard his conversations and remarks about it?

Secretary Stevens. That is right.

Senator McClellan. Did you get that information at the time, or

has it been subsequent to then that you got that information?

Secretary Stevens. I got most of it at the time, and I got most of it at the time right then there that day, and I had other information

Senator McClellan. Just to say that a man is angry, is not necessarily conclusive nor convincing. An angry man ordinarily does something to indicate that he is angry and I am trying to determine what evidence, physical evidence of anger did you observe on that occasion, aside from what may have been reported to you by your subordinates or whoever heard him talk?

Secretary Stevens. Well, you see I was inside the laboratory,

Senator McClellan.

Senator McClellan. Well, you didn't know he was angry while you were inside?

Secretary Stevens. No.

Senator McClelian. When you got outside, what happened?

Secretary Stevens. I just sort of became aware of the fact that he was very angry.

Senator McCarthy. Senator McClellan, I wonder if you would have Secretary Stevens for my benefit repeat the statement that he knows that my counsel quit talking at some time.

Senator McClellan. I will agree with Senator McCarthy. It is very unusual and it doesn't ordinarily happen. Can you get us any

further testimony?

Secretary Stevens. You mean with respect to that occasion?

Senator McClellan. Yes; because that may be important, in this

thing, and it shows—well go ahead.

Secretary Stevens. As you know, sir, we went back into the headquarters there and resumed discussion in the same room we had been in before when we went out to examine the laboratory, or inspect And when we got in this room and sitting down there, it was intended to be apparent to me that Cohn was very provoked by the whole proceeding. As a result of which, I made a statement, which I outlined, and on which we have had some discussion about whether or not it was an apology or explanation.

Senator Mund. I am sorry, the time is up.

Senator Dirksen.

Senator Dirksen. Mr. Secretary, thus far we have had General Reber, Mr. Lucas, and yourself for direct and cross-examination and General Smith—and the whole matter thus far has addressed itself to the allegation and the specifications that are before the committee. In brief, there is an allegation of improper conduct in attempting to secure preferential treatment for Private Schine.

Now, we have had a lot of testimony, and this is in the fourth day. Are you prepared now, Mr. Secretary, in your own mind, to just summarize in a minute or two what in your judgment has been established here? For, while ultimate judgment must be made by this committee, I suppose that this thing has summarized itself in your mind somewhat, and I would be delighted to hear you.

Secretary Stevens. Senator Dirksen, I feel that there is some question about whether or not, as a witness, I should express myself on

that.

Senator Dirksen. Well, the allegations are before us. They are very simple. And it alleges improper conduct, and that is fortified with 29 specifications. I have been trying to follow through as best I know how here. And, while I come to some conclusions of my own, do you want to summarize them, or do you prefer not to?

Secretary Stevens. The only thing I can say would be—

Senator Dirksen. It can be an overall statement on your part, Mr.

Secretary.

Secretary Stevens. If you mean, has thus far, in this hearing, or this proceeding, anything happened which changes my view with respect to improper use, of improper pressure for David Schine, then, sir, I would say nothing has happened to change that point of view.

Senator Dirksen. That is all. Senator Mundt. Senator Jackson.

Senator Jackson. Pursuing the question suggested by Senator Dirksen, I have a number of questions that I hope will maybe shed some

light on the basic issues in this controversy.

Mr. Secretary, chapter 79, title 18 of the United States Code, deals with perjury, and it states, in effect, that any person, who testifies under oath and wilfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall, except as otherwise expressly provided by law, be fined not more than \$2,000, or imprisoned not more than 5 years.

Now, there are a number of allegations and statements concerning you, Mr. Stevens, and I believe they are material to the controversy. None of those statements and allegations have been made under oath, however. If those responsible for making them do repeat them under oath, and you deny them under oath before this committee, then some-

one is guilty of perjury.

Now this is a most serious matter, and I know that you will consider

deeply as I put these questions to you.

Paragraph marker No. 26 of the Senator McCarthy and Mr. Cohn and Mr. Carr bill of particulars states that on or about November 6, 1953, you, Mr. Stevens, suggested that the subcommittee investigate the Navy and Air Force and Defense Establishment proper instead of your administration in the Army. Is that statement true or false?

Secretary Stevens. False.

Senator Jackson. The next question, paragraph 28, if you refer to that, of the same bill of particulars, states that on or about November 17, 1953, you renewed your request that the subcommittee should investigate the Navy and Air Force. Is that statement true or false?

Secretary Stevens. Equally false.

Senator Jackson. Mr. Roy Cohn is quoted in the Washington Post for Saturday, March 13, as stating, and I quote—this is with reference to the First Army report, and I quote:

It is an unprecedented thing, obviously leaked out by the Army because they had failed at prior blackmailing attempts.

End of the quote from the Washington Post. Is that allegation of blackmail true or false? Secretary Stevens. Completely false.

Senator Jackson. It has been alleged in a memorandum from Frank Carr to Senator McCarthy on the 9th of December 1953—and

that was later released to the press—and I quote:

Even though they (the Army) said he deserved the commission, they didn't give it to him because of the left-wing press * * *.

End of quote. I am reading from the memorandum. It is in the memoranda that were released to the press, dated the 9th of December. These are my own questions.

Senator McCarthy. I wanted to know what page.

Senator Jackson. It is a memorandum, 9th of December, from Frank Carr to Senator McCarthy, which was released to the press.

Senator McCarthy. I just asked you what page so I can follow

you. What page of the memorandum?

Senator Jackson. A number of the memoranda were released to the press by the committee, and this is the memoranda that I am reading from, one of the many memoranda that were released.

Mr. Welch. Mr. Chairman, may I say I had those printed, and I think there are a great many of them available. Am I right? Senator Mund. I think it would be helpful to all members of the

committee if we could have copies, if they are available.

Mr. Welch. I have had them printed in the size I am now holding up, and if they cannot be distributed to the members of the committee now, they certainly can be shortly. I thought it would be a convenience to have them in a form so we could all refer to them.

Mr. Stevens wishes me to add that the printing was done at his

personal expense.

Senator Munder. That is an old senatorial slogan: "Not Printed at

Public Expense."

Proceed, Senator Jackson, and this interruption will not be taken out of your time.

Are you through, Mr. Welch? Mr. Welch. They are being passed out. Senator Mundt. Yes. Thank you very much.

Mr. Welch. I would like the witness to have a printed one.

Senator MUNDT. I think Mr. Welch asked that Mr. Stevens have one. You do not have one, Mr. Stevens?

Secretary Stevens. They will bring me one.

Senator Jackson. I don't want this taken off my time.

Senator Mundt. You may identify the memorandum, and we will

start the clock again.

Senator Jackson. There is before the committee a printed list of memoranda that have been offered by Mr. Welch, which has all of the memoranda, compiled in one document, which had been previously released to the press. Right?

Mr. Welch. Could I add that I have never personally checked it against the original memoranda which have been in Mr. Jenkins' possession, but I—

Senator McCarthy. A point of order, Mr. Chairman. A point

of order.

Senator Mundt. The Senator will state his point of order.

Senator McCarthy. If Mr. Welch is going to make statements about what he checked and what he has not checked, he should be sworn. Otherwise, he should be restricted to act as Mr. Stevens' and Mr.

Adams' and Mr. Hensel's counsel.

Senator Mundt. I think the Chair will have to hold that Mr. Welch was simply explaining that he was not offering this memorandum in evidence. He was simply making it available for the convenience of the committee, and was assuming no responsibility for its verbatim accuracy.

Mr. Welch. I believe it is accurate, and I thought it would be a

convenience, that is right.

Senator Mundt. That is right. We accepted it as such.

You may identify the memorandum from which you are reading, Senator Jackson, at which time we will start the clock to roll.

Senator Jackson. May I say the memorandum that I refer to in my questions come from the memoranda released to the press by Senator McCarthy, and I believe Mr. Carr and Mr. Cohn, at a press conference.

My assistant has checked them to the best of his ability. I haven't checked them against this printed copy which has just been handed

to me

Let me get back to this question again. Referring now to the memorandum of the 9th of December, it has been alleged, Mr. Secretary, in a memorandum from Frank Carr to Senator McCarthy on the 9th of December 1953, that, and I quote:

Even though they-

the Army, I am putting it, so you can understand it, but that is not in there—

Even though they-

meaning the Army-

said he deserved the commission, they did not give it to him because of the left-wing press * * *.

End of the quote from the memorandum of the 9th of December 1953.

Did you ever make the statement that Private Schine deserved a commission? Did you ever hear anyone in the Army make that statement?

Secretary Stevens. No, sir.

Senator Jackson. Therefore, is the allegation true or false?

Secretary Stevens. False.

Senator Jackson. The next question: It has been alleged concerning the Army report that, and I quote—this is a direct quote:

It is not a report. It is John Adams' version of a situation. There had been issued a twisted, distorted, untrue version written by a man who has a special interest in the situation.

End of quote from a statement by Senator McCarthy in U.S. News & World Report, of March 12, 1954.

As far as you know, Mr. Secretary, is that statement true or false? Secretary Stevens. False.

Senator Jackson. Mr. Roy Cohn is quoted in U. S. News & World Report on March 19, 1954, as stating, and I quote:

No improper influence was ever exerted by me on anyone else on behalf of Schine.

End of quote.

Is that statement true or false?

Secretary Stevens. Senator Jackson, I am sure that is one of the basic issues that the committee is going to have to decide. In my opinion, such improper measures were definitely used, as I have testified at length.

Senator Jackson. In your opinion, is that statement true or false?

I will reread the quote.

Secretary Stevens. Thank you. Senator Jackson. This is from the U.S. News & World Report, a statement by Roy Cohn contained in the issue of March 19, 1954, this year. This is the quote:

No improper influence was ever exerted by me on anyone else on behalf of Schine.

Secretary Stevens. In my opinion that is false.

Senator Jackson. The next question: Mr. Cohn is quoted on Meet the Press on March 14 as stating in answer to Mr. Larry Spivak, and

As I said, Mr. Spivak, we did not ask for special treatment for him.

End of quote.

Is that statement true or false?

Secretary Stevens. False.

Senator Jackson. The next question: This is Mr. Cohn again. Mr. Cohn went on to say then, and I quote:

Throughout the pattern, what we wanted and everybody wanted and I wanted was what was coming to him, nothing more and nothing less, and I do not believe that I or anybody else on the committee used any kind of pressure to get the Army to bring this about.

End of quote. This is from Meet the Press.

Is that statement, in your opinion, true or false? Secretary Stevens. Would you mind reading it again, Senator Jackson?

Senator Jackson. Yes. This is a part of the quote referred to in the previous sentence, following it up; he went on to say—this is from Meet the Press—and I quote:

Throughout the pattern, what we wanted and everybody wanted and I wanted was what was coming to him, nothing more and nothing less, and I do not believe that I or anybody else on the committee used any kind of pressure to get the Army to bring this about.

That was referring to the previous quote above. Let me go back, and it may be helpful. You answer this question in reference to a quotation by Mr. Cohn on Meet the Press in response to a question by Mr. Spivak, and I quote:

As I said, Mr. Spivak, we did not ask for special treatment for him.

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End of quote.

Then he went on to say—Mr. Cohn went on to say—

Throughout the pattern, what we wanted and everybody wanted and I wanted was what was coming to him, nothing more and nothing less, and I do not believe that I or anybody else on the committee used any kind of pressure to get the Army to bring this about.

Is that statement, in your opinion, true or false?

Secretary Stevens. That is kind of unusual language there, Senator. Senator Jackson. It is a direct verbatim quote in response to a question put by Mr. Spivak to Mr. Cohn on the program entitled "Meet the Press," March 14 of this year.

Secretary Stevens. If I understand it and if it adds up to was there or was there not any pressure used so far as Schine was concerned,

then my answer is "Yes, there was pressure used."

Senator Jackson. Mr. Secretary, it is alleged in the memorandum from Frank Carr to Senator McCarthy, dated October 2, and this was released to the press, that, and I quote:

Mr. Stevens stated that-

did you find that?

Senator Mundt. I am sorry, the Senator's time has expired.

Senator Potter.

Senator Potter. Mr. Secretary, I believe you testified that you were desirous of having the hearings discontinued at Fort Monmouth, and that the Army would investigate and make periodic reports to the committee.

Now, I wonder if you would tell the committee just what structure do you in the Army have for investigating the so-called subversives that might be in the Army? Is that done by your G-2 section?

Secretary Stevens. One of the agencies within the Army that would be active in that would be the Counter Intelligence Corps of our G-2 or Intelligence Division.

Senator Potter. Do you have a loyalty board?

Secretary Stevens. Oh, yes.

Senator Potter. Now, when does a case reach the loyalty board? The reason I am asking these questions is the fact that I have been concerned over the great delay that has taken place in the past, and I am thinking now of the Major Peress case, before the Army took any action. I am wondering if you can tell the committee what are the steps for the Army to take to remove a security risk from the armed services?

Secretary Stevens. Well, I think that I stated yesterday that in the case of a suspension, that the commanding officer of the installation can recommend a suspension and give his reasons, and that is considered by the Army headquarters, then, of the area in which he is located. And then having gone through the Army area headquarters, it would then come to the screening board in Washington.

Senator Potter. To what board?

Secretary Stevens. A screening board of the Department of the Army.

Senator POTTER. Is that a board of officers?

Secretary Stevens. No; it is a board of civilians.

Senator Potter. Now—

Secretary Stevens. I am advised by my aid that sometimes it has military personnel, but usually civilians.

Senator Potter. And then the board has final say?

Secretary Stevens. No, that screening board determines whether or not the person is to be suspended, and then if it is so determined, as a result of the process which I have just outlined, then that person will be suspended from the installation in the field wherever it may be, Fort Monmouth or otherwise, and the next thing is that charges must be preferred within 30 days. After that the person affected can ask for a hearing, which is held in the Army area in which the installation is located.

In the case of an Army person suspended, that hearing board would consist of Navy and Air Force personnel from the same general area, that is from, say, the First Army area, in New York.

Senator Potter. But not Army personnel?

Secretary Stevens. Not Army personnel. The board could be either military or civilian personnel, or I think it is correct that 2 out of the

3 must be civilians, is that right?

Senator Potter. Mr. Secretary, assume that I were Major Brown and I had a man in my command and I had evidence that this person was a member of the Communist Party. Now, how long would it take for me to get rid of that man out of my outfit?

Secretary Stevens. I think it would be possible to do it in a matter of hours, if it was as bad a case as you outlined, Senator Potter, although that would not be the normal course of events.

Senator Potter. Assuming a case where the commanding officer had circumstantial evidence that wouldn't hold up in court, but evidence which he believed to be good, how long would it take?

Secretary STEVENS. What he would do would be to call-

Senator McCarthy. Mr. Chairman, I would like to ask the reporter to mark the last question of Senator Potter asked and I think it is a very important question and I would like to use it in my examination.

Will you do that, Mr. Reporter?

Senator Mundt. Proceed, Senator Potter. Secretary Stevens. What is the question?

Senator POTTER. How long would it take for a commanding officer to get rid of a man where there was circumstantial evidence that that

person was a subversive?

Secretary Stevens. Well, of course, Senator Potter, it would depend upon the particular case and the evidence that was available. If it was a clean-cut case that just suddenly showed up, there is no reason why the commander or his G-2 at the installation shouldn't by phone get in touch with First Army Headquarters and they, in turn, with us and clear the whole thing if it was a real bad case.

But if it was a case in which we didn't know, and we had some derogatory information perhaps come in, then a certain amount of investigation would be required in order to decide what, if any, sub-

stance there was to the allegations.

Senator Potter. Who carries on the investigations? Is that G-2?

Secretary Stevens. That is right.

Senator Potter. Do you have any way by which a commanding officer can contact your office directly, either you as Secretary of the Army, or one of the civilian staff members of your office, and report that, "I have a situation in my unit which is not good"?

Can action be taken without going through the entire chain of command?

Secretary Stevens. It could be; in an emergency, it certainly could. Senator Potter. Do you have anyone on your staff who is charged with that responsibility?

Secretary STEVENS. Well, the Assistant Chief of Staff, G-2, is

charged with that responsibility.
Senator POTTER. I mean civilian?

Secretary Stevens. No; not a civilian. That is military.

Senator Potter. Don't you believe, from the experience of the so-called Peress case, that it would expedite things greatly, if the field commander could contact the Secretary's Office directly and have somebody in that Office responsible for moving quickly on cases of that kind?

Secretary Stevens Well, I think we have the mechanism and the machinery, Senator Potter, to handle these things as they come up.

Now, I personally wouldn't think it would be necessary to have—it might be the equivalent of an Assistant Secretary of the Army for intelligence or security. I wouldn't think that that was necessary. I think that I can work through the Chief of Staff to the military intelligence division of the Chief of Staff, which is the G-2 division, and there is no reason why that should have to be duplicated.

Senator Mundy. Senator Symington?

Senator Symington. Mr. Secretary, on January 13-14, the first Army report alleged that Mr. Cohn told Mr. Adams he would wreck the Army and he would see that Stevens was through as Secretary of the Army.

My first question is: Did Mr. Adams tell you of this incident at

that time?

Secretary Stevens. Yes, sir.

Senator Symington. What were Mr. Schine's duties in his preinduction training in New York from November 3 to November 10?

Secretary Stevens. I would say that he was available for committee business during that particular week there. Of course, I don't know exactly what he did.

Senator Symington. Do you know of any other cases of this type

of special arrangements during the preinduction period?

Secretary Stevens. No, sir, I don't, although I will say this, Senator Symington: This I don't know of my own personal knowledge because I have never come in contact with the case, because I think there are instances where, in the changeover from civilian life to the military, where a person might have responsibilities of family or business, that there are cases where there have been some adjustments during that preindoctrination period.

Senator Symington. If you didn't know of these arrangements, Mr.

Secretary, do you know who made them?

Secretary Stevens. I knew about these arrangements.

Senator Symington. You knew about them?

Secretary Stevens. Yes, sir.

Senator Symington. Did you make them?

Secretary Stevens. Yes, sir. That is to say, I gave the instructions for them to be made.

Senator Symington. What were those arrangements, roughly?

Secretary Stevens. The arrangement was that whenever Schine was inducted, he was to be assigned to the First Army Headquarters at Governors Island, N. Y. That was to be where he would tie into the Army, and the first arrangement was that he was to be assigned there for 2 weeks during the preindoctrination period in order to be available for committee business. I gave the instructions for those arrangements.

Senator Symington. Did he have to report in periodically, or did

ρ____

Secretary Stevens. I know he must have reported the first day. Whether he reported thereafter every day or not, I don't actually know. I could find out for you.

Senator Symington. Could you supply the details of that arrange-

ment, and submit it for the record?

Secretary Stevens. Yes, sir.

Senator Symington. Mr. Secretary, did you see the First Army report before it was issued?

Secretary Stevens. The First Army report?

Senator Symington. Yes; the one in March, I believe it was, the original report.

Secretary Stevens. The chronology of events?

Senator Symington. Yes.

Secretary Stevens. Yes; I saw it.

Senator Symington. The allegations in that report are chiefly against Mr. Cohn, with relatively minor mention of Senator McCarthy. Did you ever feel that the best way to handle this was to contact Senator McCarthy and state to him that Mr. Cohn had been acting improperly and that some action should be taken by him or his committee? I ask that question particularly after reading the letter Senator McCarthy sent you as of December 22.

Secretary Stevens. Of course, the fact is that Senator McCarthy brought these things up on occasion himself, as I have testified to over

the last few days.

Senator Symington. You mean after the letter was written?

Secretary Stevens. Yes; on at least one occasion after the letter was written.

Senator Symington. As Mr. Cohn was really an employee of one of many Senate committees, wouldn't it have been better by personal contact to try to remedy this situation rather than issue the report which has gotten in the papers now and is really responsible for these

hearings?

Secretary Stevens. I think a situation just developed, Senator Symington, that worked to a climax because of the interest that was generated by Schine's being an inductee at Fort Dix. The fact that he was away from the post on a number of occasions with special passes became a matter of common knowledge, and public knowledge. So the interest generated in it lead to the inquiries we had from the Congress, Members of the Congress, and we were required to answer some specific questions, and we did.

Senator Symington. What were the arrangements that Mr. Schine

had at Camp Dix?

Secretary Stevens. The arrangement at Camp Dix was that Schine was to be made available—

Senator McCarthy. Will the Senator yield for a minute? Could I have that last answer read?

Senator Symington. Without taking off my time, could the reporter read back the answer to Senator McCarthy?

Senator Mundt. Very well. The time will be declared out. reporter will read back the last answer.

(Whereupon the answer referred to was read by the reporter as recorded above.)

Senator Mundt. Senator Symington, time in again.

Senator Symington. I think I asked a question before about what were the arrangements made with respect to Private Schine at Camp Dix.

Secretary Stevens. The arrangement was that Private Schine was to be made available for committee business, provided it did not interfere with his training. It was originally hoped that that work, whatever it might be, could be accomplished over weekends, but subsequently it was indicated that it could not be, and Schine was therefore away from the post after hours at times during the week.

Senator Symington. With whom did the Army make the arrange-

mets, and who in the Army made them for the Army?

Secretary Stevens. I talked with General Ryan, the commanding general at Fort Dix, about this situation, and left it in his hands. Senator Symington. Who requested you from the legislative side

of the Government about it?

Secretary Stevens. Who requested me?

Senator Symington. Yes.

Secretary Stevens. We had, I think, some 8 or 9 inquiries from

Senators and Congressmen.

Senator Symington. No; who was it who asked, who was it in the committee, on the committee, who asked that the special arrangements

me made for Mr. Schine at Camp Dix?

Secretary Stevens. Well, in the luncheon of November 6, the point was made—Senator McCarthy was there, Mr. Cohn was there, and Mr. Carr was there—that they were having trouble getting their committee report up, and with Schine about to go into the Army (that is interesting language because he had been in 3 days at that time) that they must have some of Dave Schine's time to get this thing

Senator Symington. Arrangements were made for the weekend. Who made the arrangements? Who asked the Army that arrangements be made for him to get off at night? Who did it and when?

Secretary Stevens. That, as I recall, Senator Symington, was made, was done at the luncheon of November 6, as I recall it.

Senator Symington. At the luncheon on November 6? Secretary Stevens. Yes, sir.

Senator Symington. In other words, all the principals involved made the request for nights as well as week-ends?

Secretary Stevens. That is right.

Senator Symington. Are you certain of that?

Secretary Stevens. I would like, if I may, to refresh my memory on it, but that is my present recollection.

Senator Symington. Do you know whether Senator McCarthy

knew of these arrangements at Camp Dix?

Secretary Stevens. Yes, sir, I am sure he did. If I recall it, they

are even mentioned in one of his memoranda.

Senator Symington. Mr. Secretary, do you feel that Private Schine was being treated differently than other privates and was receiving special treatment? You also had a letter from Senator McCarthy on December 22—

Secretary Stevens. That is right.

Seantor Symington. Asking that he not be given special treatment. Did you ever take it up with Senator McCarthy between

December 22 and the issuance of the report?

Secretary Stevens. Yes. The only incident I remember, Senator Symington, was the time I saw him on the 14th of January, at which time he brought up the question of Schine's being assigned to New York City. I reminded him of the letter of December 22 on that occasion.

Senator Symington. Senator Jackson asked you if you had suggested that the subcommittee go after the Air Force or the Navy, and you denied that. It has been alleged that Mr. Adams made that suggestion. Did he do it in your presence?

Secretary Stevens. Never.

Senator Symington. It has been alleged in the Army report that at a meeting in October outside the courthouse at Foley Square, Senator McCarthy told Mr. Adams that Mr. Schine was interested only in having his picture taken. Did Mr. Adams report this incident to you?

Secretary STEVENS. He did.

Senator Symington. It has been alleged in the first Army report, Mr. Secretary, in the entries of the 13th and 14th of January that Mr. Cohn stated to Mr. Adams, on hearing that Private Schine be sent overseas, that he would wreck the Army and cause Mr. Stevens to be through as Secretary of the Army. Did Mr. Adams report this incident to you?

Secretary Stevens. He certainly did.

Senator Symington. What did you do about it? Secretary Stevens. What did I do about it?

Senator MUNDT. The Senator's time has expired.

You may answer the question.

Secretary Stevens. I continued to try to tend to my business and run the Department of the Army, which is a very large job to try to do.

Senator Mundt. Senator Dworshak.

Senator Dworshak. Mr. Secretary, on the 13th of April 1954, your special counsel, Joseph M. Welch, addressed a statement to Mr. Ray H. Jenkins, special counsel of this subcommittee, submitting 29 claims. The final claim is as follows, and I quote:

On or about February 16, 1954, and on several other occasions, Mr. Carr and a person purporting to act as a representative of Senator McCarthy, indicated that the investigations of the Army then contemplated by this subcommittee would either be terminated or be conducted along reasonable lines if the Army would accede to Senator McCarthy's and Mr. Cohn's request for a special assignment for Private Schine.

Now, I am sure that you have a high regard and respect for congressional committees, and I wonder if you really believe that the public will accept this claim which involves a serious indictment to

the effect that this subcommittee might be influenced in any manner in making its investigations of subversives or the infiltration of communism, or that its work be either retarded or accelerated. You don't really believe in this conclusion, or the 29 claims submitted by your special counsel, do you?

Secretary Stevens. Well, Senator Dworshak, on that one that will

have to be testified to by Mr. Adams.

Senator Dworshak. Well, in this statement, in this 29th claim you said that Mr. Carr and a person purporting to act as a representative of Senator McCarthy, and why didn't you name that person? You surely know who he was.

Secretary Stevens. Mr. Adams will name him. Senator Dworshak. You don't know who it was?

Secretary Stevens. Do you want me—can I put the name in? Senator Mundt. Surely, if you have the knowledge you may put

Secretary Stevens. It is not firsthand knowledge.

Senator Dworshak. I would like to have the counsel determine whether it would be well to wait until Mr. Adams is on the stand.

Mr. Jenkins. I think Senator Dworshak's question is perfectly proper at this time.

Secretary Stevens. My information is that that was Mr. Sokolsky.

Senator Dworshak. Who? Secretary Stevens. Sokolsky.

Senator Dworshak. The newspaper columnist? Secretary Stevens. Yes, sir.

Senator Dworshak. George Sokolsky?

Secretary Stevens. Yes.

Senator Dworshak. Did you or your counsel, or whoever is responsible for the preparation of this statement assume or accept this overture as representing the collective thinking of the subcommittee?

Secretary Stevens. May I have the privilege of conferring with Mr. Welch, because he and Mr. St. Clair prepared this, and I would like to if I may for a moment.

Senator Mundt. You may.

Time out.

Mr. Welch. It seems to me that the specification speaks for itself and the man has been identified. I am not suggesting that Mr. Sokolsky could influence this committee, or make any deliveries on behalf of this committee, but the testimony will be that Mr. Sokolsky claimed he knew what he was talking about, and that he made these statements to Mr. Adams.

Senator Dworshak. Mr. Sokolsky was not an authorized representative of this subcommittee.

Mr. Welch. It seems to me-

Senator Mundt. May the chair remind the counsel that he is not a witness and he has not been sworn, and Mr. Stevens is the witness and the question should be directed to Mr. Stevens, and answered by him.

Secretary Stevens. Could I have it read, Senator Dworshak? (Whereupon, the question was read by the reporter, as above recorded.)

Secretary Stevens. Not so far as I know.

Senator Dworshak. Don't you think, Mr. Secretary, there are more cooperative means of getting cooperation between the Department of the Army, and an important subcomittee like this investigating subcommittee, representing the Senate of the United States, instead of making a charge which certainly will not be approved or accepted by the public to the extent that the committee's entire pattern of investigation could be influenced so easily, and diverted from its primary objectives?

Secretary Stevens. Senator Dworshak, I did the best I could in the line of cooperation with this committee and its staff. That was my whole philosophy, starting as soon as I took office, with all commit-

tees, and I pursued it to the best of my ability.

Senator Dworshak. You still stand back of this 29th claim, which you certainly recognize is quite a serious indictment of this subcom-

Secretary Stevens. That is right, yes, sir.

Senator Dworshak. That is all.

Senator Mundr. Mr. Welch, you have 10 minutes in which to interrogate the witness.

Mr. Welch. I have only two questions, I think, Mr. Stevens.

Did you ever ask—did you ever ask to have an airplane fly you to an Army camp where Private Schine was stationed, for the purpose of your visiting Private Schine at that post?

Secretary Stevens. I did not.

Mr. Welch. On the occasion when there was a luncheon at your office in respect to which there has been testimony, some testimony as to whether or not Private Schine was expected as a guest, did you ever say that you were disappointed that he did not come because you had hoped or planned to have your picture taken with him?

Secretary Stevens. I certainly have no recollection of any such

statement.

Mr. Welch. Did you ever on any occasion request that you, the Secretary of the Army, should have a picture taken of you and Private Schine?

Secretary Stevens. Alone; no.

Senator Mundt. Have you finished, Mr. Welch?

Mr. Welch. Yes.

Senator Mundt. Senator McCarthy, you have 10 minutes. Senator McCarthy. This forenoon I asked you a question with regard to your testimony yesterday, and I asked you whether or not yesterday you did not testify that you wanted to have the hearings on Communist infiltration of Fort Monmouth suspended. seems to be some doubt in your mind as to whether you so stated. Have you refreshed your recollection and can you now tell us that yesterday you did testify that you wanted the hearings at Fort Monmouth suspended?

Secretary Stevens. Well, Senator McCarthy, what I really wanted

was to have-

Senator McCarthy. I am talking about what you testified to yesterday and not what you wanted today, but what you wanted yesterday.

Secretary Stevens. I haven't looked it up, if that is what you mean.

Senator McCarthy. You have not?

Secretary Stevens. No.

Senator McCarthy. Do you know whether you testified yesterday you wanted the hearings at Fort Monmouth suspended?

Secretary Stevens. I would look it up and see, sir. Senator McCarthy. You don't remember that now?

Secretary STEVENS. I think that I said something about the suspension of hearings, but not of the investigation, and that the Army should have an opportunity to take over this investigation and make

progress reports to you.

Senator McCarrhy. Bob, this is a very simple question, and your memory is so good about events that occurred 6 months ago, and it seems you should be able to remember what occurred yesterday. And my question is simply this: Yesterday did you tell Mr. Jenkins, if you recall, that you did try to get the hearings at Fort Monmouth suspended, that is, the hearings of Communist infiltration into the radar installation?

Secretary Stevens. I will look up the testimony and see.

Senator McCarthy. Don't you remember it now?

Secretary Stevens. I cannot remember everything that I have said.

Senator McCarthy. Do you remember that?

Secretary Stevens. As I said a moment ago, I think I did say something about it.

Senator McCarthy. If you testified to that yesterday it was the

truth?

Secretary Stevens. If I testified to it yesterday, it was the truth, sure; as far as I know it is the truth.

Senator McCarthy. Now, can you tell us today, whether or not you

wanted the hearings at Fort Monmouth suspended?

Secretary Stevens. I wanted them suspended, in order that the Army could carry out the hearings themselves and make progress reports to your committee, and stop the panic that was being created in the mind of the public about Fort Monmouth on a basis that was not justified by the facts.

Senator McCarthy. How did you finally succeed in getting the

hearings suspended?

Secretary Stevens. How did I finally succeed?

Senator McCarthy. Yes. They are suspended as of today. We both agree to that, I believe. How did you finally succeed?

Secretary Stevens. They aren't suspended, as far as I know.

Senator McCarthy. Are the hearings still going on?

Secretary Stevens. Are they still going on? You know about that. Senator McCarthy. You know that the hearings were suspended the day you or someone filed your charges against Mr. Cohn, Mr. Carr, and myself. You know that, don't you? Let's not be coy.

Secretary Stevens. I am not being coy at all. I don't think that has

anything to do with it, Senator McCarthy.

Senator McCarthy. Have they not been suspended since you filed your charges? Was not that the way you got them suspended?

Secretary Stevens. If you are trying to suggest——Senator McCarthy. I am trying to get the truth.

Secretary Stevens. If you are trying to suggest that I am personally responsible for the suspension of the hearings, then I think you are absolutely incorrect.

Senator McCarthy. You wanted them suspended. Would you be ashamed to be personally responsible for having them suspended?

Secretary Stevens. I wouldn't be ashamed of having them suspended at all, as long as the Army could take it up and carry it along and report to your committee and resume with you at any time that

Senator McCarthy. Now let's get back to the question. Yesterday you testified that you wanted the hearings suspended. I think we will both agree now that the hearings have been suspended since the day that you made public your charges against my chief counsel, my chief of staff, and myself. There is no question about that.

Secretary Stevens. I would say that has nothing to do with it.

Senator McCarthy. Have they been suspended? Secretary STEVENS. I say it has nothing to do with it.

Secretary McCarthy. Have they been suspended? Do you know

they have?

Secretary Stevens. They were suspended by an action of the committee, taking up other business. It certainly is nothing that I have had to do with any decision made by this committee.

Senator McCarthy. Do you think the filing of the charges against my chief counsel, my chief of staff, and myself, had anything to do

with the suspension of the hearings?

Secretary Stevens. If you are talking about Fort Monmouth, I

think those hearings were suspended quite a long time ago.

Senator McCarthy. Then we will talk about all the hearings into Communist infiltration in the Army, so there is no question about their having been suspended a long time ago, the day before you filed your charges against my chief counsel, my chief of staff, and me, the day before that, you know, Bob, or should know, that we asked for the production of six military personnel with long Communist records. We asked you that day also for the production of information on those who were responsible for the promotion, the honorable discharge, and the favorable stateside duty for a fifth-amendment Communist. You know that was done, Mr. Secretary, the day before you filed those charges, so don't come here and tell us they were suspended a long

Secretary Stevens. I think if anything has been suspended, it must have been by action of this committee. I don't have any right to act

for this committee.

Senator McCarthy. Mr. Stevens, do you want to tell us today under oath that you feel that the filing of your charges had nothing to do with the suspension of our hearings on Communist infiltration in the military?

Secretary Stevens. I don't think that the Army's answer to Senator Potter's letter could stop the work of the Congress of the United

States. I certainly hope it can't.

Senator McCarthy. Answer my question, will you? Will you

answer the question?

Secretary Stevens. May I have the reporter read the question? Senator McCarthy. If you don't remember it, you certainly may. Senator Mundt. Time out. The reporter will read the question. (Whereupon, the question was read by the reporter as above

recorded.)

Secretary Stevens. I will stand on the answer I made.

Senator McCarthy. I will ask the Chair to order you to answer the question, Bob. I think you owe us that answer.

Secretary Stevens. May we have the answer that I gave, read? Senator McCarthy. Will you take time out, Mr. Chairman?

Senator Mundt. Time out, and the reporter will read the same question he read previously and the answer that the Secretary gave.

Senator McCarthy. While he is doing it, Mr. Chairman, I want to point out the answer is not responsive, and I am going to ask the Chair to order the witness to answer the question.

(The question and answer were read by the reporter.) Senator McCarthy. Will you answer the question?

Secretary Stevens. I think that is an answer.

Senator McCarthy. I am going to ask the Chair to order the Secretary to answer my question, which is very simple.

Senator Mundt. Back on time now. I will ask the Senator to

restate his question.

Senator McCarthy. Mr. Secretary, will you listen very carefully? The question is, Do you feel that the filing of the charges against my chief counsel, my chief of staff, and against me had anything at all to do with holding up or suspending the hearings on Communist infiltration in your Department, hearings which had been going on up until the day you filed those charges? That is a simple question, Bob, and you should be able to answer it.

Secretary Stevens. Senator McCarthy, I repeat that I just do not believe that our answer to Senator Potter's letter could stop the work of the Congress of the United States or its committees. I just do not

believe that.

Senator McCarthy. In other words, your answer is that you do not think that the filing of these charges had anything to do with holding up the work of the committee?

Secretary Stevens. I don't think that our answer to the letter of Senator Potter was responsible for stopping the work of this com-

mittee or the Congress.

Senator McCarthy. Let's be a little bit more honest here.

Secretary Stevens. What do you mean, "be a little more honest"?

Senator McCarthy. You bring Senator Potter into this constantly. You would think that Senator Potter instigated this. Will you tell us now whether or not Senator Potter's letter was not the result of constantly leaked stories from the Pentagon to the effect that you had a report, that prior to that you personally, Mr. Secretary, and Mr. Adams contacted a number of Senators, told them you had such a report, and that also you knew that Mr. Adams had indicated to me, let's put it that way—Mr. Welch, please, I think the Secretary is intelligent enough to listen to this without your whispering in his ear. Will you desist until I get through with the question?

Mr. Welch. Did you make a remark to me ?

Senator McCARTHY. Will you desist until I get through with my question?

Will you read the last part of my question to Mr. Stevens so I can

complete it?

Senator Mundt. The reporter will read the question.

Senator McCarthy. Just the last few words.

(The last part of the question was read by the reporter.)

Senator McCarthy. That unless our hearings were called off, or using your word "suspended," there would be issued a report attacking my chief counsel, a report which he claimed would be embarrassing to the committee. You knew all that, didn't you?

Secretary Stevens. I am sorry that I am not as bright as you give me credit for being, Senator McCarthy. That is such a long statement with a question on the end of it that I will have to have it reread.

Senator McCarthy. Let's break it up.

Senator MUNDT. Time out and let the reporter reread the question,

or do you want to restate it?

Senator McCarthy. I think the Secretary's objection is well taken. That is a very long question, and I think it should be broken up so we can take it piecemeal.

Senator Mundt. Very well.

Senator McCarthy. Before Mr. Potter wrote you and asked for this report, is it correct that the papers carried stories to the effect that such a report was available in your office and that Mr. Potter actually only wrote you and told you that as long as the report was going to be made public, he felt as a member of this committee he should have the consideration of receiving a copy of that report, and that Mr. Potter did not originate the request for any report about my chief counsel and Mr. Carr?

Secretary Stevens. As far as I know, Senator Potter originated

his letter.

Senator McCarthy. Oh, now you understand the question, Bob. Secretary Stevens. Didn't you ask whether Senator Potter in effect, didn't you ask whether or not he wrote the letter under his own power, or because he was asked to; as far as I know it was written by Senator Potter.

Senator McCarthy. Could we take time out and have the question

read, Mr. Chairman?

Senator Munder. Take time out, and we will read the question.

(Whereupon the question was read by the reporter as above re-

corded.)

Secretary Stevens. First of all, Senator Potter didn't write me, as far as I know. He wrote the Secretary of Defense. As I recall, his letter, which I have seen—I don't think there was an reference in it to any report, and I think he asked specific questions to the effect of: Had any preferential treatment been extended to David Schine, and if so who was responsible.

Senator Potter. Point of order.

Senator MUNDT. I think Senator Potter is entitled to speak on a point of order, and time out.

Senator McCarthy. May I say—

Senator MUNDT. Senator Potter has the floor.

Senator McCarthy. Will the Senator yield for a moment? May I say, Senator Potter, I was trying to clear up this record and I think it was completely unfair to you to make it appear that you were the moving force in the origination of this report, because we all know this report had been leaked to newsmen in their possession-

Senator Mundr. Senator Potter has the floor and I must remind the Senator from Wisconsin that the old practice of asking a colleague to yield has no bearing, and he has no right to yield and he must state

his point of order or lose the floor.

Senator Potter. My point of order, Mr. Chairman, is, in order to clarify this present discussion, that my letter to Secretary of Defense Charles Wilson was based upon impressions that I had, and I think as I said yesterday, or last week, it was more or less of an open secret on the Hill, that a report did exist, and that fragments of that report had been published in the press.

Now, I felt, as a member of the committee, that the committee should have the benefit of the report, so that we could take whatever action we deemed necessary. That is the essence and the purpose of my writing the letter to Secretary of Defense Wilson; and I received a reply, the

report now under consideration.

Senator MUNDT. Thank you for that verifying question which the Chair feels is perfectly in order since your name has been bandied around on this question.

Now, Senator McCarthy.

Senator McCarthy. May I say that I think that Senator Potter's action is completely proper, and one that should have been taken, and I just want to make it clear here that when the Secretary talks about an answer in regard to Mr. Potter's letter, that you were not giving us the facts, Bob, and you know that that report was out and available long before that, don't you?

Let us put it this way; did you not?

Secretary Stevens. I positively deny that I stated anything here

that is not the fact, so far as I know.

Senator McCarthy. Then let us get on to the specific question. Did you not, Bob, personaly tell Senators that you had available a report on my chief counsel before Senator Potter wrote you that letter?

Secretary Stevens. I visited members of your committee Senator McCarthy, in connection with the General Zwicker case, and that is what I talked to the members of your committee about.

Senator McCarthy. You heard my question, and the question was,

did you not tell members—

Senator Mundt. I am sorry, your time has expired. We will go around the wheel again.

Counsel has no questions.

The Chair would again now, if he can, like to pursue with the Secretary a point which I consider of tremendous importance to us if the members of this committee are going to faithfully fulfill their responsibility, as we interrogate other witnesses, and as we cross-examine Messrs, McCarthy, Cohn, and Carr, about their part in this controversy.

Correct me if I am wrong as I try to bring the interrogation up to date, please, Mr. Stevens. I am trying to break down and segregate with regard to each of the three individuals who are now being charged, his part in these improper activities which you allege. If the Chair understands it correctly, as of now, you state that you have no specific charge of impropriety to make of your own personal knowledge against Mr. Carr?

Secretary Stevens. In respect of the October 2 meeting.

Senator Mundt. No, in respect to this controversy, Mr. Stevens. If you have charges to make against Mr. Carr, we hope that we are

about to finish with you as a witness, and I think that you should make them now. I understood that you had none to make, and if you

are holding some out, you may make them now.

Secretary Stevens. Well, Senator, all of the discussion insofar as I am concerned, that has taken place in regard to the matter of Mr. Carr, has been related to the meeting of October 2, and that date you will find runs through and through this record, because that is what we have been talking about.

I said to you that if the only evidence with respect to Mr. Carr was the happenings of October 2, then after all of the evidence is in at this

hearing, then I would feel that that would be withdrawn.

Senator Mund. Very well, we will take them up date by date, and the Chair misunderstood you. Your disclaimer of any charge against Mr. Carr, you now say, is limited to the occurrences of October 2, is that right?

Secretary Stevens. My disclaimer was with respect to the October

2 date, that is correct.

Senator Mundt. Now, I find in your statement of specifications, other mentions of Mr. Carr, and since you now indicate that you do have charges to make against him, and I have no desire either to exonerate him or place him on exhibition as a guilty participant, but I simply want the facts, I shall quote those other points in your specifications, where you mention them. I will ask the counsel, if he will, please, to check—if I may have the attention of the counsel—to check, and I am doing this hurriedly, and I may omit some of them. Will you get a copy of them before you, please, and make sure that I mention every time that Mr. Carr has been mentioned by Mr. Stevens.

The next one that I think I see is on October 6, and that is your

specification No. 8, Mr. Stevens:

On or about October 6, 1953, Senator McCarthy, Mr. Cohn, and Mr. Carr sought to induce and persuade Secretary Stevens and Mr. Adams—

but we are not concerned with Mr. Adams now—

sought to persuade Secretary Stevens

omitting Mr. Adams-

to arrange for the assignment of Private Schine to New York City to study and report evidence, if any, of pro-Communist leanings in West Point textbooks.

On that occasion, what did Mr. Carr do that you allege is improper? Secretary Stevens. Well, Mr. Carr was part of the group that was there talking about the thing, and now I can't sit here and tell you precisely what everyone said, if you mean to particularize on the point of quotes, but Mr. Carr took a part in that meeting.

Senator Mundt. What part, and I mean in justice to Mr. Carr, whom you are asking that this committee suspend and disengage as its counsel because of improper activities, in justice to him certainly

you should do more than say he was simply there.

Secretary Stevens. Perhaps, Mr. Chairman, I can simplify it by referring to memorandum from Frank Carr, to Senator McCarthy, dated December 9. Senator Jackson referred to it a while ago.

Senator Mundt. That would not be helpful in response to this question.

Secretary Stevens. It is helpful to this extent, sir, that he quoted from that memorandum, and I said that in my opinion that that was not true. So if you need any evidence of why I cannot withdraw Frank Carr from these proceedings until after all of the evidence is in, that is as good a one as any.

Senator Mundr. All right, you now state that included in the improper activities of Mr. Carr, was the fact that he made a statement

in a memorandum which you have designated as untrue?

Secretary Stevens. I do not now know whether this is a true copy

or not, but we all have it in front of us.

Senator Munder. Assuming it is for the purpose of the hearings, and unless it is challenged we will accept it as true. Now, we will go back to November 6. What on that occasion did he do that was improper, if anything?

Secretary Stevens. Senator, I would like to ask the right if I may to think that one over in the same way that I have thought over the

October 2 meeting.

Senator Mundt. Certainly you have that right. Secretary Stevens. I would like to do that overnight.

Senator Mundt. You may respond tomorrow morning under oath on that question.

Now, you have the same right in connection with the next question, which deals with November 11, and the specification No. 10:

On or about November 11, 1953, Mr. Cohn and Mr. Carr-

I beg your pardon. This deals with General Ryan, and you couldn't know about that one.

On November 16 this brings you in, with Mr. Carr, specification

No. 12.

On or about November 16, 1953, Mr. Cohn and Mr. Carr renewed the threats that are recited in paragraph 11 above, this time directing them to Secretary Stevens.

That is a direct charge that Mr. Carr threatened you, and what did he do that threatened you?

Secretary Stevens. I will try to particularize that one tomorrow. Senator Mundt. Thank you. Mr. Counsel, that is November 17, specification 13.

Senator McCarthy. Mr. Chairman-Senator Mundt. The Chair has the floor.

Senator McCarthy. I didn't hear the last answer, I am sorry. Senator Mundr. He said that he would try to particularize it in the morning.

Secretary Stevens. Yes, sir.

Senator Mundt. Specification No. 13:

On or before November 17, 1953, Senator McCarthy, Mr. Cohn, and Mr. Carr made known to Secretary Stevens the importance attached by them to Private Schine's military assignment, and thereby, by innuendo and inference, indicated that their plans for continuing further investigation of the military installation at Fort Monmouth, N. J., were related to the importance attached by them to Private Schine's military assignment.

What on that occasion did Mr. Carr do directly or by innuendo or inference that you consider improper conduct?

Secretary Stevens. I would like to, in the same way, testify on all of these in the morning.

Senator McCarthy. Mr. Chairman, a very important point of order here. You are questioning, and I think very ably questioning the Secretary about events which he must have full knowledge and information with regard to them and which must have been given to counsel before they made these serious charges against Frank Carr. And I just question the wisdom of having this man who has made the charges sit here now and say "I can't tell you tonight, I will go back and talk it over with counsel and decide what I remember tomorrow morning." I just don't think we can get anywhere in cross-examination that way.

Senator Mund. The Chair believes we can get somewhere by cross-examination, because Secretary Stevens will be subjected to cross-examination on any charges he particularizes in the morning.

Senator McCarthy. May I ask this, then, and may I ask that the Chair inquire from this witness whether or not as of tonight, he has

no recollection of these events?

Secretary Stevens. I won't say I have no recollections, but I would like to think it over and have a chance to refresh my memory, because as I pointed out earlier, with the number of questions I have already been asked and the amount of testifying I have done, there does come a time when you have to sit down and evaluate and concentrate on a given point. And that is what I would like to do on this.

Senator McCarthy. Mr. Chairman—

Mr. Jenkins. May I make the observation at this time, that the question suggested by Senator McCarthy to you, to be asked at this time, may be asked by Senator McCarthy very properly in a few minutes.

Senator Mundt. I appreciate it if I would not be interrupted, I am trying to follow a line of interrogatories; the Senator from Wisconsin

has 10 minutes on his own in just a few seconds.

Senator McCarthy. May I say in the last couple of days I have gotten to be rather an old hand at being interrupted, and I don't want to interrupt the Chair unnecessarily.

However, I will not have an opportunity to interrogate Mr. Stevens tonight, and what time is it now? May I say this is very important.

Senator MUNDT. Continue.

Senator McCarthy. I think this is very important. I think that this witness in view of the fact that he says now he has no recollection of these serious charges he wants to make against Mr. Carr, that he be ordered to tell the committee whether or not he had a recollection the day these were filed, and they were written. If not, where does the information come from?

Mr. Jenkins. Mr. Chairman, may I make a statement?

Senator Mundt. Mr. Jenkins.

Mr. Jenkins. The question raised by the Senator is purely argumentative and goes to the weight of the testimony of the Secretary and not to the question of its admissibility. It is a matter of argument, and

I do not think it is a proper point of order.

Senator Mund. The Chair will overrule the point of order. He is diligently trying to find out for his own benefit and, I believe, for the benefit of his colleagues, just exactly what, if any, specific charges are being made against Mr. Carr by Mr. Stevens as a result of his own personal knowledge. In justice to Mr. Carr, it seems that we must have before us something specific.

It is very difficult to deal with a generality that does not glitter in condemning anybody, and I am sure that Mr. Stevens would be the first to say, if he has nothing specific to offer, he does not want to condemn him with a generality.

Secretary Stevens. That is certainly correct, Mr. Chairman.

Senator Mundt. I think you are entitled to the time to make the

reflections that you have.

I would like to say one other thing. I have tried my best to get from you a detailed segregation of the improper conduct, both of Senator McCarthy as you allege it, and of Mr. Cohn as you allege that, broken down in both instances into two parts: (1) the part that took place from the standpoint of each of them prior to the induction of Private Schine and, (2) the part that took place afterward.

I think you said that you would like to have an opportunity to refresh your memory on that. That is perfectly O. K. with the Chair, and I would request that you do that during the night and come pre-

pared in the morning to present that synopsis and segregation.

Is that agreeable?

Secretary Stevens. I will try very hard to do that. Yes, Mr. Chairman.

Senator Mundt. You know exactly what I am trying to do.

Secretary Stevens. Yes, sir.

Senator Mundr. So we can have before us in one place the specific charges as you made them against each of the principals involved on the other side of this controversy.

Senator Jackson. Mr. Chairman. Senator Mundt. Senator Jackson?

Senator Jackson. A point of order. I understand we are going to have a rollcall vote in 2 or 3 minutes. I assume that we are going to adjourn within that time, inasmuch as it is about 4:30.

Senator Mund. Would it be all right if the Chair were to call on his ranking colleague just to keep it in balance, and we recess after

that time?

Senator Jackson. Yes, certainly. The chairman is most fair.

Whatever he works out is fine with me.

Mr. Chairman, in this same connection, I do hope that the Army will have a statement of explanation available tomorrow with reference to my request on Fort Monmouth, if that is possible. If it isn't, I am not going to be unreasonable. I do think it is so material to this matter before the committee that it would be in the interest of the committee getting the facts to have that information available tomorrow if at all possible.

Secretary Stevens. We will have it, Senator Jackson.

Senator Mundt. Very well.

Are there any other statements that the Secretary should be supplying for members of the committee so that we will try to get through

with him, if we can, tomorrow? Senator McClellan?

Senator McClellan. Mr. Secretary, if you do not have enough work to do tonight, I wish you would get up for me and for the committee the total number of man-hours that have been consumed in this effort, as you allege, for preferential treatment for Mr. Schine. I am serious about it.

Secretary Stevens. I know you are, Senator McClellan.

Senator McClellan. I wasn't joking. I mean it.

Secretary Stevens. I am serious about it, too. If I can make any estimate of that situation.

Senator Mund. The Chair likes to see people look happy and stay serious. I think that is what we are trying to do.

Does that conclude your questions? We will recess until 10:30 tomorrow morning.

(Whereupon, at 4:30 p. m., the hearing was recessed until 10:30 a. m., Wednesday, April 28, 1954.)



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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

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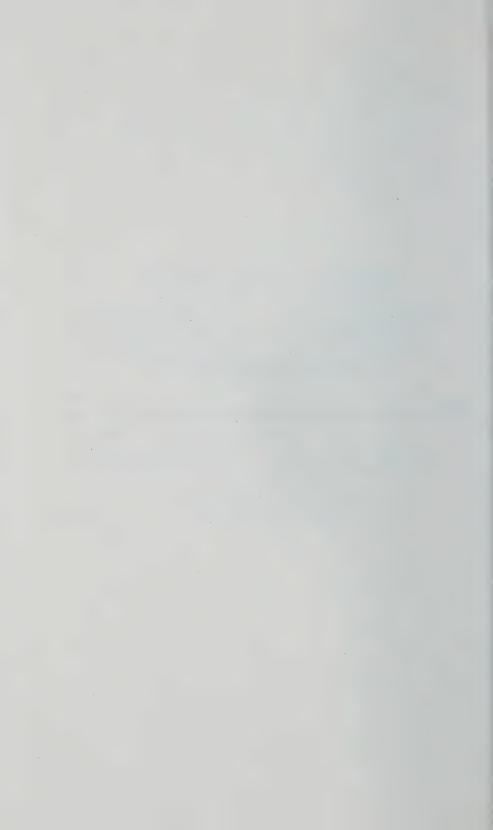
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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

WEDNESDAY, APRIL 28, 1954

United States Senate,
Special Subcommittee on Investigations of the
Committee on Government Operations,
Washington, D. C.

The subcommittee met at 10:45 a.m., pursuant to recess, in the caucus room of the Senate Office Building, Senator Karl E. Mundt,

chairman, presiding.

Present: Senators Karl E. Mundt, Republican, South Dakota; Everett McKinley Dirksen, Republican, Illinois; Charles E. Potter, Republican, Michigan; Henry C. Dworshak, Republican, Idaho; John L. McClellan, Democrat, Arkansas; Henry M. Jackson, Democrat, Washington; and Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; and Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator Mund. The committee will come to order, please.

Senator McCarthy. Mr. Chairman.

Senator Mundt. Do you have a point of order?

Senator McCarthy. Not a point of order, Mr. Chairman, but I would like to suggest that we have identified all of the generals and other officers here and know why they are here because I think the committee will take more and more criticism for holding up the work of the Army by this investigation.

Senator Mund. That is not a point of order and the Chair does not propose to go around the audience identifying our guests and they have a right to be here as long as they refrain from manifestations of

approval or disapproval.

Senator McCarthy. Mr. Chairman. Senator Mundt. Senator McCarthy?

Senator McCarthy. I do think that regardless of whether it is a point of order or not, I don't think it is a point of order but I do think that we should know just how many generals and colonels are ordered over here by the civilians in the Pentagon; why they are here and not doing their work in the Army.

Senator Munder. If you have a question to ask the Secretary along that line, which you consider relevant, you may ask it on your own

time.

Senator McCarthy. I will ask that.

Senator MUNDT. I will not define the members of the audience.

We left off, I believe, with Senator McClellan having been the last member of the committee to ask questions, and so next in line for 10 minutes, if he cares to consume it, will be Senator Dirksen of Illinois.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Senator Dirksen. For the moment, Mr. Chairman, I waive my right to ask questions.

Senator Mundt. Senator Jackson of Washington. Senator Jackson. Just a moment, Mr. Chairman.

Mr. Secretary, at the last hour on yesterday when I had the turn at asking questions, I called to your attention the fact that I believed that it was important that the basic issues in this controversy be resolved, pinpointed so that we could get a better picture of the specific areas of disagreement, as I understand it from reading the charges and the countercharges, statements that have been released to the press and so on.

With that in mind, I wish to pursue the previous line of questions and once again I put these propositions to you to have your answer whether in your opinion they are true or false. That is bearing in mind that the perjury statutes of course, have application if these same statements that have been made publicly are repeated under oath by the same parties, it would appear obvious that there might

be a violation of Federal statutes.

The first question, it is alleged in a memorandum from Frank Carr to Senator McCarthy dated October 2, 1953, that, and I quote:

Mr. Stevens stated that he, Mr. Schine, should take his initial basic training and that he should complete his training and that he, Stevens, would be able to use Schine to his own advantage in the Army.

He stated that he was—

very interested in any question of Communists or Communist infiltration, and that Dave would be of great assistance to him if after basic he could attend some special type of school in the Army and report to Stevens his observations based on his experience as an investigator in the Communist field.

End of quotation.

Did you ever make that statement, or hear anyone in the Army make that statement; if as far as you are concerned, then, is that allegation true or false?

Secretary Stevens. Well, Senator Jackson, first of all I have got to

answer this one, you might say, in two pieces.

On the question of whether or not I am interested in communism or Communist infiltration; of course I am and I have done and will continue to do everything I can in opposition to that.

Now, with respect to the balance of the statement, I stated that Schine would have to complete his basic training. I said that it was conceivable that after he had completed his basic training he might qualify for a security or intelligence school and if he did, it could further be conceivable that he would have to do with communism or Communist infiltration.

I recall having made some general observation of that type.

Senator Jackson. Well, let me put another proposition to you in connection with the quotation from this quote from the memorandum of October 2, and see if there is any conflict. In the Army report on the same date, and this is your Army report, it is stated and I quote—that would be the Army list of the original Army list of charges, and refer to that of October 2. Do you have that?

Secretary Stevens. Yes.

Senator Jackson. Now, in that report, and I quote:

Mr. Cohn stated it was desirable to have Mr. Schine available for consultation with a staff of the subcommittee to complete certain work. The Secretary did not agree with the suggestions, and pointed out that Mr. Schine should follow the same procedures for assignment as any other private in the Army.

That is the end of the quote.

I think you will agree, Mr. Stevens, there is a direct conflict between these two memorandums written on the same date. In the subcommittee memorandum, you offered a special assignment; I mean that is the first memorandum that I quoted from, and it is alleged that you offered a special assignment for Private Schine. In the Army memorandum, the one I just read, Mr. Cohn requested a special assignment for Mr. Schine, and you flatly turned him down. Which of these memorandums is true and which is false?

Secretary Stevens. Well, in the Army memorandums there, the situation was that Mr. Cohn wanted Mr. Schine detailed to New York City without any training, and of course I turned that down. I said that he would have to take his basic training. I mentioned, as I did before, the possibility that he might conceivably apply for and be accepted by a security or an intelligence school later on, but I certainly made no commitment with respect to that, either, at any time.

Senator Jackson. Well, in your opinion, is the Army memorandum,

the last one I quoted from, true? Secretary Stevens. Yes, sir.

Senator Jackson. And as I understand it, then, in your opinion the memorandum of October 2 from Frank Carr to Senator Mc-Carthy is not entirely true?

Secretary Stevens. That is right. Senator Jackson. You agree with part of it? Secretary Stevens. I agree with part of it.

Senator Jackson. What part do you disagree with?

Secretary Stevens. Well, I disagree-

Senator Jackson. You can refer back to it if you have it there

before you.

Secretary Stevens. I disagree with the inference that I stated a month before Dave Schine was in the Army that I had any idea of what his—that I was making any commitment as to what his future course in the Army was going to be, because his future course in the Army was going to depend on his basic training, and he was going to take the same as any other boy and be handled in the same way.

I gathered an inference in this memorandum of Mr. Carr's that is

different from anything that I had in mind.

Senator Jackson. The next question: In the Army report of January 9, 1954, if you will find that, it is alleged that Mr. Cohn attempted to get Private Schine out of KP on Sunday, the 10th of January. Mr. Cohn has stated on Meet the Press on March 14, in answer to a question by Jack Bell, of the Associated Press, in discussing this KP incident, and I quote:

That was a Sunday, and there had been an agreement in advance that he could use that day to work on this report. They reneged on that agreement, and that was the only purpose in communicating with the Army. I just want to say this, if I may. At no time did I or anyone else on the committee ever suggest that he should be released from KP or any other unpleasant duty a draftee had to go through, and I don't wish to make such a request.

End of the quotation by Mr. Cohn in response to a question put by Mr. Jack Bell on the program, Meet the Press, on March 14 of this year. First let me ask you if you know anything about that agreement

that Mr. Cohn refers to.

Secretary Stevens. I have heard about it, although with respect to the KP incidents, I don't have any firsthand knowledge of that, Senator Jackson.

Senator Jackson. Then is it true or false, as far as you know, that Mr. Cohn ever requested Private Schine to be relieved of KP?

Senator Mundt. The Senator's time has expired.

You may answer the question.

Secretary Stevens. Will the reporter read the question, please?

(The question was read by the reporter.)

Secretary Stevens. As I said, Senator Jackson, I do not have knowledge of that first hand. I think I know the answer to the question. I am not sure I could testify to it, Mr. Chairman, as of my own personal knowledge.

Senator Jackson. General Ryan would have that information?

Senator Mundt. Senator Potter.

Senator Potter. Mr. Secretary, the questions I am about to ask will also be asked of Mr. Adams and Mr. Cohn.

Referring to the memorandum dated December 9, 1953, from Mr.

Cohn to Senator McCarthy, it states, and I will quote:

John Adams said today that, following up the idea about investigating the Air Force, he had gotten specific knowledge for us about an Air Force base where there were a large number of homosexuals. He said that he would trade us that information if we would tell him what the next Army project was that we would investigate.

I ask you this question, Mr. Secretary: Did John Adams give this information to you; that he told you about the large number of sex perverts in the Air Force?

Secretary Stevens. No. sir.

Senator Potter. Did Mr. Adams say to Mr. Cohn or Senator Mc-Carthy in your presence anything about sex perverts or subversives of any kind in the Air Force?

Secretary Stevens. No, sir.

Senator Potter. You say that knowing that the charge has been

Secretary Stevens. That is right.

Senator Potter. Not only with regard to Mr. Adams but you yourself, in the memorandum of Friday, November 6, 1953, when they stated that you asked, and I quote:

Mr. Stevens asked that we hold up our public hearings on the Army. He suggested we go after the Navy, Air Force, and Defense Department instead. We said first of all we had no evidence warranting an investigation of these other departments. Adams said not to worry about that, because there was plenty of dirt there, and they would furnish us the leads—

"they" meaning the Department of the Army, I suppose.

Mr. Stevens thought this was the answer to his problem.

You are under oath, as you know. What is your answer to the question, first as to whether you heard Mr. Adams make that suggestion to Senator McCarthy and Mr. Cohn?

Secretary Stevens. I did not.

Senator Potter. You didn't hear Mr. Adams make that suggestion?

Secretary Stevens. No, sir.

Senator Potter. Were you there all during the meeting that took place on November 6?

Secretary Stevens. Practically the whole time.

Senator Potter. What is your answer to the question as to whether you made any suggestion that they might go after the Department of Defense or the Navy or the Air Force?
Secretary Stevens. My answer to that is that it is unequivocally

untrue.

Senator Potter. Now, Mr. Secretary, I wish to refer to the memorandum dated January 14, 1954, to Senator McCarthy from Mr. Cohn. I would like to refer to the last paragraph, and I wish to quote:

Adams said this was the last chance for me to arrange that law partnership in New York which he wanted. One would think he was kidding, but his persistence on this subject makes it clear he is serious. He said he had turned down a job in industry at \$17,500 and needed a guaranty of \$25,000 from a law firm.

That is the end of the paragraph.

The question I wish to ask, Mr. Secretary: Did Mr. Adams contact you at any time suggesting that he leave Government service and

secure private employment or go into private law practice?

Secretary Stevens. Along in November, I would say, Senator Potter, Mr. Adams did tell me of the fact that he had a possible opportunity to go into business in New York. He hadn't been on his new job in the Department of the Army very long, and he was therefore somewhat reluctant to give it any serious consideration, but he brought it to me and we talked about it. He told me at that time that if he ever did leave the Government service, he would expect to go into business. In other words, he said that he had never practiced law, and if he left the Government he would take a job in business and would not be looking around for a job in a law firm.

Senator Potter. Did he mention to you that he had discussed this

Secretary Stevens. Yes; I think he mentioned something—I don't know whether it was then or some other time. I think he mentioned

Senator Potter. Did he mention to you that Mr. Cohn was to aid him in securing a position in industry, in business, or in a law partnership?

Secretary Stevens. No; he did not. What I gathered was that there was a certain amount of, shall we call it, banter or something like that, about a law business.

Senator Potter. And this so-called banter had taken place in your

presence?

Secretary Stevens No. sir.

Senator Potter. Did you ever hear Mr. Adams suggest to Mr. Cohn that private practice would be looked upon with favor at this time?

Secretary Stevens. I never did.

Senator Potter. Your information, then, relates to the information that you secured from Mr. Adams, is that correct?

Secretary Stevens. That is correct.

Senator Potter. Mr. Chairman, I have no other questions at this time. However, I would like to make one comment; that in my opinion the hearings are dragging on pretty slowly, and at the rate we are going now we will not be out of here until Labor Day. It is my suggestion that unless we can move much faster we have night sessions. I can think of no better way to speed up the hearing.

Senator Mundt. I wish you could think of a better way.

Senator Symington. Mr. Chairman, I have no questions at this time. I would like to comment, however, on what Senator Potter has just said. We have about six principals here and a good many other witnesses. They are being added to as additional testimony comes in, pictures and problems. It looks to me like we probably will be here all summer. I would hope that everybody now seems to understand the position of Mr. Stevens and the position of those opposing him—I would hope that the chairman and counsel would keep their questions as relevant as possible and make it possible for us to get additional witnesses on the stand and off so these hearings will be closed at the earliest opportunity. I completely agree with the comments of my colleague from Michigan.

As to night sessions, anything and everything that will expedite

these hearings I would be for.

That is all I have to say at this time, Mr. Chairman.

Senator Mundt. Senator Dworshak.

Senator Dworshak. No questions, Mr. Chairman, but I want—

Senator Mundt. I hope you have not been intimidated by our colleagues.

Senator Dworshak. I am concerned, as the other members of this subcommittee that the hearings be expedited as much as possible so we can go on to other important business.

Senator Mundr. Mr. Welch.

Mr. Welch. Nothing at the moment.

Senator Mundt. Senator McCarthy or Mr. Cohn?

Senator McCarthy. First may I say I heartily endorse Senator Potter's suggestion of having night sessions so that we can get through

with this as quickly as possible.

Mr. Stevens, I note we have a two-star general to the left of Mr. Hensel, and we have a full colonel behind him, and we have other full colonels to his right, and we have got a sizable number around you. You have General Young and General Back and General Reber, and I would like to know are these men here upon your orders?

Secretary Stevens. They are here in case they may be needed, in connection with getting the facts in this case out before this committee.

Senator McCarthy. I wonder if you would do this for me: Have one of your aides give us the names of all of the military personnel, and what their jobs are in the Pentagon, and why they are here. It looks like a great waste of manpower to me and if they are needed, of course, to give you information, certainly they should be here. But rather than take the time now of going over it one by one, could you have one of your lawyers make a list of their jobs in the Pentagon and their job here today?

Secretary Stevens. Do you want me to identify the officers?

be glad to do it now.

Senator McCarthy. I would like to have one of your counsel here give me a list.

Now, going on to the next question, what was John Adams' job with

our committee; what was his assignment?

Secretary Stevens. John Adams' job was with the Department of the Army, and he was the counselor for the Department of the Army. Senator McCarthy. And what was he assigned to do with our

Secretary Stevens. He was assigned as a liaison between the Department of the Army and your committee.

Senator McCarthy. Did you tell Mr. Adams that you would like to

have the hearings suspended?

Secretary Stevens. I told Mr. Adams I wanted to cooperate with the committee to the limit of his and my ability.

Senator McCarthy. And after you told him, did you tell him you

wanted the hearings suspended?

Secretary Stevens. I never remember telling Mr. Adams that.

Senator McCarthy. Is it correct that you did want the hearings suspended?

Secretary Stevens. We have covered this pretty fully, Senator McCarthy, and I will be glad to cover it again.

Senator McCarthy. You seem to cover it differently each day. Secretary Stevens. I don't think it is different, I am very clear about it.

Senator McCarthy. Did you want the hearings suspended or did

you keep it a secret?

Secretary Stevens. I wanted the Army to have the right to take over this investigation at Fort Monmouth, and run it down, and to make reports to you, and for your investigation to continue on.

Senator McCarthy. Did you want us to suspend our public

hearings?

Secretary Stevens. Senator, I have covered this so much, do you

want me to keep going over it again?

Senator McCarthy. I would like to have you answer this question. Secretary Stevens. Senator, I am trying to the limit of my ability to get before this committee the truth, and I think if you will help me to do that, we can get along a little faster. But I find myself beginning to be confused the way you ask these questions.
Senator McCarthy. Well, it is a pretty simple question.

Secretary Stevens. And I think I have testified so fully on the thing that it is all a matter of record right now.

Senator McCarthy. May I say-

Secretary Stevens. I would like to suggest that we go back over the record, and get out the answers, and that is the testimony.

Mr. Jenkins. May I make a suggestion? Senator McCarthy. Not on my time.

Mr. Jenkins. The question seems to be a direct question, with respect to a simple matter, and we will save time if the Secretary, even though it is repetitious, merely answers the question, and then give such explanation as he desires. And I merely make that as a suggestion in furtherance of the plan of Senator Potter to speed these hearings.

Senator McCarthy. An excellent suggestion. Secretary Stevens. I said I have testified.

Senator McCarthy. Pardon me.

Secretary Stevens. I have testified as I recall it that I thought that the Fort Monmouth hearings, the way they were being conducted. had served their purpose and I would like to have the Army carry on the hearings and carry on the investigation and make the reports to you.

Senator McCarthy. Putting it in other words, you wanted us to

quit and the Army do the job?

Secretary Stevens. I would like—not have your investigation quit, but let us handle the business of running down the cases that we were in the process of running down.

Senator McCarthy. Mr. Secretary, did you want the hearings

suspended?

Secretary Stevens. Did I want them suspended?

Senator McCarthy. Yes. Secretary Stevens. I wanted the type of hearing that you were conducting suspended, yes, sir.

Senator McCarthy. You wanted our hearings suspended, did you

not?

Secretary Stevens. I wanted to have the type of hearing that you were conducting suspended.

Senator McCarthy. Now you say the type. Did you want us to

continue holding hearings on a different type of hearing?

Secretary Stevens. If you had held the type of hearing which would have given the American people and the people in the United States Army a more accurate evaluation of what the situation was at Fort Monmouth, I would have had no objection whatever.

Senator McCarthy. But you did want the hearings we were hold-

ing suspended. Is that right?

Secretary Stevens. Hearings of that type, yes.

Senator McCarthy. Did you tell Mr. Adams you wanted those hearings suspended?

Secretary Stevens. I don't recall having told him that.

Senator McCarthy. You kept it a secret from him? Secretary Stevens. I didn't keep anything a secret from him, as far as I know, but I don't recall having discussed that particular point.

Senator McCarthy. You mean to say you never talked to Mr. Adams about the wisdom of getting the hearings suspended, or a

different type of hearings held?

Secretary Stevens. I say that I don't recall specific discussion on it. It was my idea that these hearings were getting out of hand, and creating a very unfair impression in the minds of the public, and of the Army, as to what the facts were at Fort Monmouth.

Senator McCarthy. Did you discuss that with John Adams, Bob? Secretary Stevens. Yes, I discussed that with John Adams.

Senator McCarthy. Of course, you did.

Secretary Stevens. Of course.

Senator McCarthy. And one of his jobs was to try to get the hear-

ings suspended, is that correct?

Secretary Stevens. No, I would not say that was correct. I would say our collective job was to handle the Army's cooperation with the committee in the best way we possibly could, but that we also had a responsibility to make sure that the news that went out to the public

bore some real good relationship to the facts.

Senator McCarthy. Mr. Secretary, just so that you will be aware of what you previously testified to, may I say that it appears now that the testimony is going to be so diametrically opposite that I think this committee will have no choice but to submit this entire record to the Justice Department, having all witnesses keep that in mind, and somebody either has been or will be guilty of perjury; and it is not up for me to decide who. Just so that you will be aware of your previous testimony, page 442 of the record, Mr. Jenkins' question-did you have something to say-Mr. Jenkins' question:

Then what you are saying is that you did not ask the Senator to stop his investigation of Fort Monmouth, but merely to suspend it and give you a chance to carry on. And then if you failed, to take over again; is that correct?

Answer: "That is correct."

Is that your testimony today?

Secretary Stevens. Senator McCarthy, I think you know what my

testimony is. I have been over it and over it and over it.

Senator McCarthy. Well, let me put the question very simply: Did you ask me to suspend the hearings of Communist infiltration at the radar laboratories?

Secretary Stevens. Senator McCarthy, I have been over it and over

Senator McCarthy. Just tell me.

Secretary Stevens. If this committee wants, I will continue to go over it.

Senator McCarthy. Just tell me why, yes or no.

Secretary Stevens. I said I thought the type of hearing you were holding had served its purpose, and that the Army should have the right to carry on and run these things down themselves, and make progress reports to you, and that your investigation should not be suspended, and that we would do the job to the best of our ability.

Senator McCarthy. Have you made any progress reports since

the hearings of Communist infiltration were suspended?

Secretary Stevens. I think we have been in close touch with your committee at all times.

Senator McCarthy. Have you made any progress reports to me?

Secretary Stevens. When?

Senator McCarthy. Since the hearings were suspended. Secretary Stevens. What date are you talking about?

Senator McCarthy. Any time, any day.

Secretary Stevens. I think we have been in close touch. John Adams has been in close touch with your staff right straight along. and the record will bear that out.

Senator McCarthy. The question is: Have you made a progress report? In other words, have you told us how many people you have suspended, since we suspended the hearings?

Secretary Stevens. I have testified to that in public.

Senator McCarthy. In other words, the only progress report you gave was the progress report on Mr. Jenkins' cross-examination; is

Secretary Stevens. I wouldn't say that is the only progress report. Senator McCarthy. Have you given us this progress report that

you are talking about?

Secretary Stevens. Senator McCarthy, I didn't give you progress reports personally, but I knew that John Adams was in close touch with your staff, and any information that was available, that you wanted, that we could properly give, would be supplied.

Senator McCarthy. Maybe you can give us a progress report, then, today. Since the hearings have been suspended, how many security risks have you suspended from the radar laboratories, if any?

Secretary Stevens. I will have to check that, Senator McCarthy. Senator McCarthy. How long will it take you to check that? Secretary Stevens. I think that we have got the information available here, with one of our people.

Mr. Welch. Mr. Chairman, Senator Jackson asked for that information, and we are making it available as swiftly as possible.

Senator Mundr. The testimony, when it comes, will be read into the record by Mr. Stevens under oath. If he has it now, fine; and if not, when will you have it?

Mr. Welch. I am under the impression it can be furnished to the committee at this moment; am I correct in that, Mr. St. Clair?

Senator Jackson. Mr. Chairman-Senator McCarthy. Just a moment. Senator Jackson. A point of order.

Senator McCarthy. It is taking up my time.

Senator Mundr. Senator Jackson has a point of order. All points of order, may I suggest to the timekeeper, should be done while time

Senator Jackson. Mr. Chairman, a point of order that I wish to make is that inasmuch as I had requested, as of yesterday, that the Army submit to the committee a report as to the exact situation with reference to the suspensions at Fort Monmouth, that at the conclusion of the interrogation of Mr. Stevens by Senator McCarthy, I believe it appropriate, if the report is not too lengthy, that it be read into the record at the conclusion of the interrogation.

Senator Mundt. That should be satisfactory to you, Senator Mc-

Carthy, because it will not then come out of your time.

Senator McCarthy. Very good.

Is that progress report ready now, Mr. Secretary?

Secretary Stevens. We have the report that Senator Jackson asked for here.

Senator McCarthy. How about the one I asked for? How many people have you suspended since our investigation into Communist infiltration at the radar laboratories? You suspended 35 while that investigation was in progress. I wonder if that is all you have suspended.

Secretary Stevens. I think I testified the other day, Senator, that we suspended 6 prior to October 8, which was the former date of the opening of your executive committee hearing, and 29 thereafter. Is that what you wanted, sir, 29 thereafter?

Senator McCarthy. Let's get the dates correct, Bob, if we may.

The date of the first hearing was when, Roy?

Mr. Cohn. August 31.

Senator McCarthy. August 31. The investigation started long before that. Is it not correct that you had suspended no one until

we commenced the investigation?

Secretary Stevens. I would have to check that up and find out. As I say, my understanding of when your hearings started was on October 8, although I know that you had work going on before that. I do not know when it started.

Senator McCarthy. The question, Mr. Secretary, is how many did

you suspend——

Senator Mundt. The Senator's time has expired.

Senator McCarthy. I am sorry.

Senator Munder. We revert back to counsel. I think we agreed that you might have a statement to read at this time in response to Mr. Jackson's question?

Secretary Stevens. Would you like to go first, sir, or shall I read

this?

Mr. Jenkins. It does not make a bit of difference to me, Mr. Sec-

retary. Suit your own convenience.

Senator Mund. You may read it now, and so that we may know clearly what is before us, will either Senator Jackson restate the request or could the reporter read it or could Mr. Stevens read it so we know exactly what is being responded to at this time?

Senator McCarthy. Mr. Chairman, just a question. I would like to know how many Senators have this report. If only Mr. Jackson has it, and when he got it. I would like to have a copy of it.

Senator Mundr. I believe the report was prepared last night, and

it is to be read to the committee.

Senator Jackson. Mr. Chairman, I just received a copy of it about 3 minutes ago because I requested it. Inasmuch as I had requested it as such yesterday and it had been understood it would be made available at this hearing, I think it ought to be read in the record. I assume that the Department of the Army may have extra copies.

Senator McCarthy. Mr. Chairman-

Senator Mund. The Chair is simply endeavoring to find out now exactly what this report is being read for—in response to what?

Mr. Jackson. I wish to correct my previous statement. I received this from the committee staff, and the committee staff has informed me they received it from Colonel BeLieu.

Senator Mundt. This morning?

Senator Jackson. This morning. I received it within 5 minutes. Senator Mundt. Mr. Stevens, will you tell us, as you begin, the nature of it and the purpose of it, in response to what question? We want to know what the question was.

Secretary Stevens. The heading of this is "Fort Monmouth Cases."

Senator Mundt. You may read it, and then we will interrogate

from there.

Senator Jackson. May I read the question that I asked?

Senator Mundt. Yes, I think it would be well if we knew exactly the reason for the question.

Senator Jackson. Let me read the question from the record of

yesterday that I put to Mr. Stevens.

Senator Mundt. That will be helpful.

Senator Jackson. Which is upon the reports that he is about to read. This is on page 582.

Senator Jackson. I wonder this, Mr. Stevens: Would you be good enough to give to the committee a statement without reference to the individuals' names, the general nature of the allegations against them, and a summary of the action taken to date by the Army—for example, whether any of them have been reinstated, whether some of them have been fired, how long it will be before there is a determination.

I make this request of you, Mr. Stevens, because this matter has been kicked around in the newspapers, it has been discussed here in the committee; the American people, I think, are pretty confused. No one knows the true nature of

the situation with reference to these thirty-five people.

I do believe that it would be helpful if the Army could submit a statement outlining the present status of the Fort Monmouth situation as to the suspended personnel for the open hearing. I think it might be well to give to the counsel of the committee also a classified statement which could not be released, but only for their guidance and for information, if such were necessary, because of classified material.

Secretary Stevens. Senator, we would like to submit anything that you want and, within the limits of the Presidential directives that apply, we will do so.

I think that is it.

Senator Mundt. This, then, is the unclassified statement?

Secretary Stevens. Yes, sir.

Senator McCarthy. Mr. Chairman, as a matter of following the regular procedure, I would think that in view of the fact that this is a question by Mr. Jackson, it should wait until his time comes around. I am so low here on the totem pole, it takes so long to get my 10 minutes, I do not think we should—

Senator Mund. The Chair suggests to counsel that he propound the question on his unlimited time, and then it will not deprive

anybody of time.

Mr. Jenkins. Mr. Stevens, by way of further cross examination, you have testified, as we understand it, that you retained Mr. Adams as of approximately October 1.

Secretary Števens. Yes, sir.

Mr. Jenkins. And you assigned him to the special duties that would ordinarily devolve upon a liaison officer between you and the committee?

Secretary Stevens. Yes, sir. He was Department counselor, Mr. Jenkins, and that was one of his jobs. He had other jobs, of course. Mr. Jenkins. That was one of his principal jobs, as we understand

it, Mr. Secretary.

Secretary Stevens. Yes, sir.

Mr. Jenkins. At that time you had known for approximately 1 month that the McCarthy committee was investigating the infiltration of Communists and subversives in the First Army area, including Fort Monmouth, had you not?

Secretary Stevens. That is right, sir.

Mr. Jenkins. And as of the date of your retention of Mr. Adams you, as I understand your testimony, had made overtures to the Mc-Carthy committee to suspend their investigations and not to conduct

any hearings, and to allow the Army to carry on that work; is that correct?

Secretary Stevens. Did you say before Mr. Adams came with me?

Mr. Jenkins. I say that—my question is this: Please state whether or not as of October 1, the date of your retention of Mr. Adams as counsel, you had known that the McCarthy committee was investigating the infiltration of Communists and subversives as bad security risks in the First Army area, including Fort Monmouth? Is that correct?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You had discussed that situation with Senator Mc-Carthy and his staff, had you not, Mr. Secretary?

Secretary Stevens. Yes, sir.

Mr. Jenkins. On several occasions prior to October 1, the date of Adems' retention?

Secretary Stevens. That is right.

Mr. Jenkins. As I understand your testimony, you had as of October 1, that is, prior to October 1, made overtures to the McCarthy committee to suspend that investigation and to allow you to do it?

Secretary Stevens. No sir. Mr. Jenkins. You had not? Secretary Stevens. No, sir.

Mr. Jenkins. Mr. Secretary, did you as of October 1 want that in-

vestigation by the McCarthy Committee suspended?

Secretary Stevens. Actually, Mr. Jenkins, the Fort Monmouth investigation, so far as I am concerned, started on the 8th of October, and I knew relatively little about it, if anything, as of October 1.

Mr. Jenkins. But, as I understand it, you learned in Montana from a newspaper account that Senator McCarthy was investigating three security risks in the First Army area; is that correct?

Secretary Stevens. But not at Fort Monmouth, sir.

Mr. Jenkins. All right. Is Fort Monmouth included in the First Army area?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Then if he was investigating the subject, infiltration of bad security risks in the First Army area, that would include Fort Monmouth; would it not ?

Secretary Stevens. Yes, it would.

Mr. Jenkins. And you knew in Montana that he had three men under investigation in the First Army area; did you not?

Secretary Stevens. Two men and one woman.

Mr. Jenkins. Very well. Three persons. You did come back and you did initiate a conference with Senator McCarthy and you did discuss his alleged—his activities in the investigation of those three persons; did you not?

Secretary Stevens. I came back, Mr. Jenkins, to get information about what the trouble was, and tried to get to work on it with him.

Mr. Jenkins. Did you do what I asked of you, Mr. Secretary? Did you do that? You understand the question. If you don't, I will repeat it: Did you discuss, when you came back from Montana, with Senator McCarthy or any member of his staff, these three persons about whom you had read in Montana?

Secretary Stevens. Yes, I did.

Mr. Jenkins. Very well. Did you at that time suggest to Senator McCarthy that you had an agency equipped to investigate them and that you would take the matter in hand yourself and conduct an investigation of those three persons?

Secretary Stevens. Of course, I told him we would investigate it,

but I didn't say anything about his not investigating them, either.

Mr. Jenkins. But you told him you would do so?

Secretary Stevens. Oh, sure. You bet you.

Mr. Jenkins. You said nothing about his washing his hands, so to speak, of that work and allowing you to carry it on?

Secretary Stevens. This was the first contact I had with him.

Mr. Jenkins. We understand. At any time between that first contact about the 7th or 8th of October, and the date of retention of Adams, did you talk to Senator McCarthy on other occasions?

Secretary Stevens. Yes, sir.

Mr. Jenkins. That is, that 3-week period?

Secretary Stevens. That is right.

Mr. Jenkins. About the investigation of the First Army area?

Secretary Stevens. Yes.

Mr. Jenkins. Did you at any time during that period suggest or intimate that you were perfectly capable and equipped to carry it on and would he please step out of the picture and allow you to do it? Secretary Stevens. No, sir. I always suggested that we were well

Secretary Stevens. No, sir. I always suggested that we were well equipped to carry it on, but I never suggested his stepping out of the

picture

Mr. Jenkins. Did you want him to step out of the picture?

Secretary Stevens. No.

Mr. Jenkins. And allow you to do that work?

Secretary Stevens. The problem arose over the Fort Monmouth

investigation, sir.

Mr. Jenkins. You appreciated the fact that his work in investigating the First Army area, including Fort Monmouth, was somewhat a duplication of your work, did you not, Mr. Secretary? Is that right?

Senator Mund. May the Chair request, very firmly this time, that the photographers abide by the committee rule to take any pictures they are going to take in a kneeling position or sitting down. There are a great many complaints from the television audience and from the television people that all the cameras are getting are the backs and the backs of the heads of a lot of agitated photographers.

May the Chair say that last night for a while, for the first time, he had a chance to see part of the television playback, and I want to confirm the legitimacy of those complaints. I looked at the backs of

a lot of heads.

We will just have to ask those photographers sitting in front of the witness to remain seated when they take their pictures.

Secretary Stevens. Unfortunately, due to the fact of all the pictures, I missed that question, Mr. Jenkins.

Senator Mundt. We will ask Mr. Jenkins to repeat it.

I simply wanted to be sure this time that our photographer friends

complied with the ruling.

Mr. Jenkins. Did you feel that the investigation of Senator McCarthy of the First Army area was a duplication of your work or an infringement upon it, to any extent?

Secretary Stevens. No, I didn't feel that way about it.

Mr. Jenkins. So as of October 1, the date of the retention of Mr. Adams, you had never requested a suspension of either an investigation or a hearing?

Secretary Stevens. As far as I know, I never had.

Mr. Jenkins. What is your—now, Mr. Stevens, you say—as far as you know. Can you give this committee a direct answer to that question?

Secretary Stevens. I think I can assure this committee that I did

not do that.

Mr. Jenkins. Well, now, as I understand you a little while ago, your answer was positive, and it was in the negative, and now are you saying that it is your best recollection that you had not done it; or are you saying that you don't remember?

Secretary Stevens. I am saying that I just don't think I did any

such thing, Mr. Jenkins.

Mr. Jenkins. You just don't think you did any such thing?

Secretary Stevens. No, sir.

Mr. Jenkins. Well, Mr. Secretary, when did you first ask either Senator McCarthy, or any member of his staff, to please suspend the operations, their operations, in the investigation of Fort Monmouth or the First Army area; and when was your first request made? Secretary Stevens. I don't think that I ever did exactly do that.

Secretary Stevens. I don't think that I ever did exactly do that. Mr. Jenkins. You say now, this morning, that you rever did request a suspension of the McCarthy investigations?

Secretary Stevens. Never requested a suspension of the investi-

gation, that is correct.

Mr. Jenkins. Maybe I misunderstood you heretofore, Mr. Secretary, and I am not going into details, and I am not going to read the record, because the committee will remember what your testimony is and I could be in error about it.

Very well, Mr. Adams did come to you and was on your staff as

of October 1?

Secretary Stevens. That is right.

Mr. Jenkins. And one of his duties was to establish a better rela-

tionship between you and the committee, wasn't it?

Secretary Stevens. No, sir, I think that I had a fine relationship with the committee. Mr. Adams' job was to help me maintain it and carry it on.

Mr. Jenkins. Well, if your relationship with the committee as of October 1 was fine, and had not deteriorated, and you had no complaints, then why was there any necessity to bring in another man?

Secretary Stevens. Mr. Jenkins, the answer to that one is that as Secretary of the Army, I have a terrific number of duties and responsibilities.

Mr. Jenkins. I appreciate that fact, of course.

Secretary Stevens. Which extend worldwide to the largest department the United States Government has, and it is a terrific task to

carry.

The liaison work with the committee was naturally a time-consuming one, and I had carried it from its inception from the 8th of September through the month of September, and when Mr. Adams came I had to relieve myself of that in order to carry on the other parts of my job.

Mr. Jenkins. Now, Mr. Secretary, you were asked, and I think I remember your answer, whether or not when Mr. Adams came to you on October 1 you specifically asked him to use his offices with the McCarthy committee to bring about a cessation or a suspension.

Secretary Stevens. I did not do that.

Mr. Jenkins. That is your answer now, and as I recall your answer heretofore has been that you had no recollection of it and didn't remember. Now your memory has been refreshed after meditating over the question, and you say now definitely and positively that you did not ask Mr. Adams to do that?

Secretary STEVENS. That is right. Mr. Jenkins. Is that correct? Secretary Stevens. Yes, sir.

Mr. Jenkins. Mr. Secretary, what in your opinion is the meaning of espionage?

Secretary Stevens. Spying.

Mr. Jenkins. Is there a distinction between a spy and a subversive, a bad security risk? There is, is there not?

Secretary STEVENS. Yes, sir.

Mr. Jenkins. In your press release, I believe of November 13, is that correct?

Secretary Stevens. That is correct. Mr. Jenkins. From the Pentagon?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You stated to the press that there was no current espionage in the Army.
Secretary Stevens. That is right.

Mr. Jenkins. Is that correct?

Secretary Stevens. I had no evidence of any current espionage at Fort Monmouth, that is right.
Mr. Jenkins. Was that your statement?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You made no statement at that time or at any other time with respect to whether or not there were bad security risks in the Army; is that correct? And particularly at Fort Monmouth? Secretary Stevens. I don't know whether I ever made any public

statement. I know that---

Mr. Jenkins. Do you know whether or not on November 13 you

made any reference to subversives or bad security risks?

Secretary Stevens. Yes, the whole question of Fort Monmouth and espionage, and security risks, that was all pretty fully covered, Mr. Jenkins, in that press conference.

Mr. Jenkins. I understand that, but heretofore your testimony has

been confined exclusively to spies, espionage.

Secretary Stevens. That is right.

Mr. Jenkins. Now, did you go further at that press conference of November 13, and say that there was not only no espionage at Fort Monmouth, but that there were no subversives or doubtful or poor security risks?

Secretary Stevens. No, sir.

Mr. Jenkins. You did not go that far?

Secretary Stevens. No, sir, I didn't go that far.

Mr. Jenkins. Very well. You understood—strike the question—

Mr. Secretary, is it not your opinion that the investigation, the detection, the apprehension, the exposure, the explusion of subversives, poor security risks, is quite important as well as the detection of spies?

Secretary Stevens. Oh, extremely important; yes, sir.

Mr. Jenkins. And you have always so regarded it, and so regard it now?

Secretary Stevens. From my first day in office, sir.

Mr. Jenkins. Yes, sir. As of October 1, 1953, how many subversives or poor security risks have been dismissed from the Army, and particularly Fort Monmouth, as a result of the efforts of the Army exclusive of any supplemental or additional work done by the McCarthy committee?

Secretary Stevens. Well, I just don't have that information.

Mr. Jenkins. You don't have that information?

Secretary Stevens. Not in my head. And I think perhaps this report on Fort Monmouth cases, which I will read, whenever you want me to, sir, may give some light on that question.

Mr. Jenkins. Now, as we understand it, there were 35 suspensions in

all, is that correct?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Do you know how many suspensions resulted exclusively, during the fall or early winter of 1953, resulted exclusively from the investigations and work of the McCarthy committee?

Secretary Stevens. No, sir, I don't.
Mr. Jenkins. Were there any?

Secretary Stevens. I testified, and—is this thing working all right?

Mr. Jenkins. I hear you; I am sure the committee does.

Secretary Stevens. I testified that with respect to certain cases there, that I was sure that the McCarthy committee had expedited the handling of those cases by the Army to a certain extent.

Mr. Jenkins. As I understand it, you made that in your written statement which you read to the committee, and you further testified

to that.

Secretary Stevens. I testified to it; yes, sir.

Mr. Jenkins. Now, Mr. Secretary, it is essential to the national security and safety that subversives and bad risks be taken out of an important area such as Forth Monmouth, isn't it?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And to the extent that Senator McCarthy and his staff expedited the suspension of that class of persons, his committee rendered a valuable service to the Nation, did it not?

Secretary Stevens. That is correct.

Mr. Jenkins. And you have no thought or intention of minimizing the importance of that work?

Secretary Stevens. I do not.

Mr. Jenkins. The character of the work is such that time is of the very essence; that is correct, isn't it?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Was it before all of these 35 suspensions were effectuated that you sought to obtain a suspension of the McCarthy work? Secretary Stevens. May I have that read, please?

(The question was read by the reporter.)

Secretary Stevens. As I say, I never attempted to get a suspension of the investigation. I did want the type of hearing that was being

held suspended or changed. Most of those suspensions, Mr. Jenkins, took place during the months of October and November, as I recall.

Mr. Jenkins. In short, there were suspensions as a result of the committee's work after you had sought to bring about suspensions of the investigations in the area?

Secretary Stevens. I don't know that I can answer that.

Mr. Jenkins. You cannot answer that?

Secretary Stevens. No.

Mr. Jenkins. Mr. Secretary, passing from that and getting back momentarily to G. David Schine who was inducted into the Army, as we understand, on November 3—

Secretary Stevens. That is right.

Mr. Jenkins. And who, I believe, you say was not in uniform and not on the post until November 10.

Secretary Stevens. That is right,

Mr. Jenkins. And about whom you say you have no recollection now with reference to whether or not you invited him to the Pentagon with Senator McCarthy, Roy Cohn, and others on November 6.

Secretary Stevens. I think those arrangement were probably made

by my staff, Mr. Jenkins.

Mr. Jenkins. Would your staff have invited a then private in the United States Army to attend a luncheon given by you in the Pentagon unless you had so directed?

Secretary Stevens. We would have been glad to have anybody from the staff over there, including Schine, if he were there on committee

business.

Mr. Jenkins. After November 10, the date he reported for active duty, did it come to your attention, Mr. Secretary, that this private in the Army was getting special preferential treatment at Fort Dix?

Secreary Stevens. It did thereafter, yes.

Mr. Jenkins. Did it come to your attention that he was not doing his proper quota of KP duty?

Secretary Stevens. Not for a long, long time.

Mr. Jenkins. But it did come to your attention during his period

of training there that that was occurring?

Secretary Stevens. I do not know whether I had the information about the KP during the period he was there or not. I do not think I did.

Mr. Jenkins. Did it come to your attention that he was not wearing the uniform which was issued by the Army to draftees and inductees?

Secretary Stevens. I did not know it at the time. I found it out later.

Mr. Jenkins. Did you later learn that? Secretary Stevens. I later learned that.

Mr. Jenkins. Did it come to your attention—

Secretary Stevens. That is, I learned it not of my own knowledge.

Mr. Jenkins. We understand that.

You knew while he was still at Fort Dix?

Secretary Stevens. No, sir, I am not sure that I did.

Mr. Jenkins. Are you sure that you did not?

Secretary Stevens. I cannot remember exactly what date.

Senator Mund. Will you pull the microphone a little closer to you? It would be more convenient for you. It is working, but if you will pull it toward you a little closer, it would be helpful.

Mr. Jenkins. Did it come to your attention that this private, David Schine, was hiring his fellow soldiers and paying them money to clean his rifle?

Secretary Stevens. I think I heard something about that later.

Mr. Jenkins. You knew that was against regulations. Secretary Stevens. Yes, I certainly know that.

Mr. Jenkins. Did it come to your attention that he was not cleaning up his quarters, such as other soldiers were required to do according to regulations?

Secretary Stevens. Not while he was at Fort Dix, but I heard about

it afterwards.

Mr. Jenkins. You heard about it afterwards?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Did it come to your attention that he was having an unusually large number of leaves and absences while at Fort Dix?

Secretary Stevens. I testified about that, yes, sir.

Mr. Jenkins. I believe you say in your statement that he had 15 in an 8-week period, including leaves of absences embracing 2 or 3 days; whereas, the average private had only 3, is that correct?

Secretary Stevens. That is approximately correct, yes, sir.

Mr. Jenkins. Did it come to your attention that this private was taking unusual liberties with the officers, would sometimes put his arm around a commissioned officer and fraternize with him and talk to him as though he were his equal in rank or superior?

Secretary Stevens. That one I do not think I ever heard, sir.

Mr. Jenkins. You never heard that?

Secretary Stevens. No, sir. I don't recall that.

Mr. Jenkins. Did you ever hear that this private called Lieutenant Miller—he was the company commander, was he not?

Secretary STEVENS. I don't recall the name. Mr. Jenkins. You do not recall the name? Secretary STEVENS. Of the commander, no.

Mr. Jenkins. That this private on one occasion while at Fort Dix put his arm around Lieutenant Miller and drew him to one side and told him that he was there on a special assignment; to wit, had been sent there to modernize the American Army and streamline it along modern lines. [Laughter.] Did you know that?

Secretary Stevens. No, sir.

Mr. Jenkins. You never heard that before?

Secretary Stevens. I think I heard later, along with these other points that you have been making, some reference to something along that line, but not in any such all-embracing language as that was.

Senator Potter. A point of order, Mr. Chairman. Senator Mundt. Senator Potter, a point of order.

Senator POTTER. The point of order I would like to make, Mr. Chairman, is, when did the Army change so much in the last 10 years? I had never known that type of treatment to be tendered.

Senator Mundt. The Chair will have to rule that is a private point

of order, not a public one. We cannot entertain it.

Senator McCarthy, do you have a point of order? Senator McCarthy. A point of order or something. I understand the Inspector General has investigated all of these matters mentioned by counsel and has come up with a report. I think that report should be made a part of the record; otherwise, I am afraid the questions will be taken to mean that the facts have been established.

Mr. Jenkins. Mr. Chairman, Senator McCarthy's time to cross-

examine and develop that fact will come soon.

Senator McCarthy. Mr. Chairman, may I request at this time that in view of all the reports that apparently Mr. Stevens has been able to present, he should present now the Inspector General's report upon the special consideration that this private got. That report is available. It is in his possession and it should be put in the record.

Mr. Jenkins. Mr. Chairman, that may be done at the proper time, and now is not the proper time during my cross-examination of the

Secretary.

Senator Munder. The Chair holds that that is an appropriate question for Senator McCarthy to ask Mr. Stevens on his own time.

Senator McCarthy. Very well. Mr. Welch. Mr. Chairman?

Senator MUNDT. Do you have a point of order, Mr. Welch?

Mr. Welch. It seems to me it would be appropriate for Mr. Jenkins to say that the Army has made available to him and his staff such portions of that report as are complete. Would you mind doing that for us, Mr. Jenkins?

Mr. Jenkins. And from that date I gleaned my alleged facts upon

which I am now basing my cross-examination.

Mr. Welch. Thank you, sir.

Senator Mundt. Proceed, Mr. Jenkins.

Mr. Jenkins. Mr. Secretary, the weather during the months of November, December, and January was extremely severe, was it not?

Secretary Stevens. I do not know, sir.

Mr. Jenkins. You do not know about that. Did you know——Secretary Stevens. I know the 1 day I was there, it was all right.

Mr. Jenkins. Did you know that when the soldiers at Fort Dix were transported from one point in the area to another, to bivouac and other points, Private Schine almost invariably rode in the cab of the truck; whereas, the other soldiers, sometimes numbering 40 and 50, were packed like cattle or sheep in the bed of the truck and exposed to the weather? Did you learn that?

Secretary Stevens. No, sir; I never heard that.

Mr. Jenkins. Is this the first time you have ever heard of that?

Secretary Stevens. It is the first time.

Mr. Jenkins. Mr. Secretary, have you ever, before or since the inception of this investigation, talked to the officers, the noncoms and the privates—

Senator McCarthy. Mr. Chairman, a point of order.

Senator Mundt. State your point of order.

Senator McCarthy. I am not the counsel for Mr. Schine. I do have an interest, however, in seeing that no young man, no private in the Army, is smeared without a right to answer. I think it is highly improper to ask questions here assuming certain facts not in evidence, facts not made available to us, when counsel, for whom I think all of us have a great deal of respect, says, "Have you learned that such and such was the fact?" The millions of people watching this television are going to assume it is a fact.

Mr. Jenkins. I must state, Mr. Chairman——

Senator McCarthy. Let me finish my point of order, Mr. Chairman.

Senator Mundt. Finish your point of order.

Senator McCarthy. I have a duty to protect the young men who worked on this staff. If Mr. Schine did something improper, then let's have the facts brought out when he is here and he is available. Let's make him a party to this circus, if we will. I think it is highly improper. Let me finish, if I may, Mr. Chairman.

I think it is highly improper to ask the Secretary, "Have you learned this? Have you learned that?" The assumption is that the facts are accurate. I do not agree that they are accurate. I do not know. Mr. Schine should be here if we are going to make him a party to this smear

that has been going on.

Senator Jackson. A point of order, Mr. Chairman.

Senator Munder. May the Chair say that Mr. Schine will be called in due course as a witness.

Mr. Jenkins. Right.

Senator Munder. The counsel, as the Chair understands it, is trying to determine from Mr. Stevens whether or not he has any knowledge about these alleged facts.

Senator Jackson has a point of order.

Senator McCarthy. May I finish my point of order? You say Mr. Schine will be called in due course. If there are charges made against Mr. Schine, then he should be notified of those charges. He should be notified to come here with counsel and be permitted to cross-examine. Otherwise, it is completely unfair to this young man. As I say, I don't know whether those charges are true or false. For the first time today I hear them stated as matters of fact by counsel.

I have asked for the report. I have asked for the report from Mr. Adams on whether or not Mr. Schine had received any special consideration. Up to this time the only place where I can find the charges made public are in the New York Post and in the columns and in the left-wing columns like Drew Pearson. If those charges haven't been investigated, I think Mr. Schine should have a copy of the report.

Senator Jackson. Mr. Chairman, in the interest of clarity and to keep the record straight, I think it should be pointed out that from the very beginning a number of hypothetical questions have been put without the requirement of evidence to substantiate those questions.

I recall a hypothetical question that was put with reference to Fort Monmouth at the very first day, on Thursday, and there have been a number of hypothetical questions put to various witnesses, without

the previous requirement of testimony.

Do I understand, and this is a point of order—do I understand that we have the right to put those hypothetical questions, and if not, then I assume that all of the previous hypothetical questions put by all members of this committee and counsel will be stricken?

Senator McCarthy. Mr. Chairman—

Senator Mund. The Chair has ruled throughout in response to both of the points of order—the Chair has the floor, I am sorry—the Chair has ruled throughout in response to both of these points of order and has ruled throughout on previous ones that all this committee is seeking to do is to endeavor to decide the truth, and to find it out, and that any questions asked by counsel for either side, by members of the committee, that can shed some light on what the truth is in this controversy, will be permissible and acceptable.

Senator McCarthy. Mr. Chairman——

Senator Mundt. Have you a further point of order?

Senator McCarthy. Yes, I certainly have. When Senator Jackson refers to a question as a hypothetical question, I make a point of order that when counsel says, "Have you learned that as many as 40 young men were packed in the back end of a truck like cattle," that that is not a hypothetical question; that is completely unfair to the Army, and I don't think, and I have been in the military for a while, and I never have seen young men treated like cattle, and I know that counsel—I have a great deal of respect for counsel—and I think he has been doing an excellent job. I do think, however, when I find that he is in my opinion making a grievous error, I must bring it to the attention of the Chair. And I don't think that we should let it go on to the mothers of this country that their sons are being treated like cattle, because they are not.

Senator Jackson. As I recall, a hypothetical and a very realistic question was put with reference to Sam Reber, which I do not recall there was any evidence offered in this hearing, as to the allegations

contained in those charges.

I just want to know what the procedure is so that I can better understand the questions that I have a proper right to frame. It is

to that point of order that I addressed myself.

Senator Mund. Senator Jackson will recall that the procedure then and the procedure now was to admit questions which might remotely shed some light on deciding the truth of this very difficult controversy.

Senator Symington. A point of order, please.

Mr. Chairman, I am not always agreed with the counsel in these hearings. But I want to be the first to say that I do not think he is making any deliberate effort to smear anybody.

Mr. Jenkins. Thank you, sir.

May I proceed?

Senator McClellan. I do not have a point of order; I want to

make an observation on the points that have been made.

The testimony being elicited is absolutely relevant to the charges of whether Private Schine received preferential treatment. There

can be no question about their relevancy.

However, if Private Schine feels that he, because of this evidence and because of the statements that are being made, or the report that has been submitted, is a party to this action, to these proceedings, he should be given the right just as Mr. Hensel, was, after charges were made against him, he should be given the right to intervene if he desires to do so.

As to the questions, they are proper on the issue of whether prefer-

ential treatment was sought or granted for Private Schine.

Senator McCarthy. Mr. Chairman—

Senator Mundt. Senator McCarthy, have you a point of order? Senator McCarthy. A further point of order, Mr. Chairman. I may say I think Senator McClellan is absolutely right. However, in the case of Mr. Hensel, the charges were given to him, and he was given a chance to answer. And I don't know what Mr. Schine's answer would be.

I think the record should be clear. And I know Mr. Jenkins knows this: That Mr. Schine was interrogated by the Inspector General's Department. And he was ordered not to discuss the charges with anyone; as a result he could not tell me what the charges were.

And he was denied the right to have counsel present.

And now I think, if charges as serious as are being made today, and I know Mr. Jenkins is completely honest and sincere about it, and I don't question his honesty at all, but I do think that if we are going to start making public charges of this nature, then the charges should be filed upon Mr. Schine the same as they are filed upon Mr. Hensel, and Mr. Adams, and on me, and upon Mr. Carr and Mr. Cohn.

He should know what they are, and he should be given the same right to cross-examine and the same right of counsel as anyone else, because those charges are gravely serious that are being repeated

today.

Senator McClellan. Mr. Chairman, I would like to make an observation with respect to that. Those were pretty serious charges the Senator made against General Reber's brother, and no charges were filed. They were developed in testimony, just as this is being developed.

Senator McCarthy. If General Reber's brother wants to come

here----

Senator McClellan. I took the same position with respect to General Reber's brother. He should be invited, if he wanted to, to appear and deny it.

Senator McCartify. I certainly agree with Senator McClellan.

Senator Mundt. And the Chair has gone further in connection with Private Schine, and he has stated publicly, on a number of occasions, that, if neither Mr. Stevens nor those associated with him, nor Senator McCarthy or those associated with him, calls Mr. Schine, then the committee will call him as a matter of elemental justice because certainly he has a right to be heard in his own behalf.

And he will have a right to have counsel and, of course, will have

the same rights of cross-examination.

Senator McCarthy. I don't want to take, Mr. Chairman, any more time on this. But there is a big difference between calling a young man as a witness days after charges are made against him and notifying him of the charges.

But, as the Chair well knows, we have a hard and fast rule in this committee, and we followed it now since I have been chairman, and it is a rule that the present acting chairman, I think, has heartly ap-

proved of, and that is this:

May I have the Chair's attention?

That no man is publicly accused unless he is in the committee room and allowed to step up and answer.

Now I think that is a good rule, and I think we should follow that

here.

Senator Jackson. Then why wasn't—

Mr. Chairman, why wasn't it followed on the very first day with

reference to General Reber's brother?

Mr. Jenkins. May I make my position clear, Mr. Chairman? And I think perhaps it will satisfy everybody, including the contesting litigants, I hope.

My position in this line of cross-examination and the purpose of it is this: A charge has been made by Mr. Stevens and Mr. Adams that the McCarthy committee sought preferential treatment for Schine. I am now in this line of cross-examination for the purpose of showing the truth or falsity of that statement, and my theory being that if he were accorded preferential treatment it is some evidence that an effort was made on his behalf for that. That is No. 1.

No. 2, a countercharge has been made against Mr. Stevens and Mr. Adams to the effect that they held, in effect, Schine as a hostage, as a bait from time to time, for the purpose of stopping Senator McCarthy's committee from continuing the investigation of Fort

Monmouth.

It is, therefore, a double-edged sword, tending to prove the truth or falsity of both charges. And, in my opinion, it does not necessarily

reflect on Private Schine.

Senator Mund. The Chair will rule that the questions are in order, and that we are proceeding as best we can to elicit the information we require and he has publicly announced that Private Schine will be called in this hearing. And he is entitled to counsel, Senator

McCarthy.

Senator McCarthy. Mr. Chairman, if counsel in asking these questions will say, "Have you learned that it was charged," instead of saying, "Have you learned that men were crowded like cattle in the back end of a truck?" I don't think the Inspector General—let me finish, please—I don't think the Inspector General has reported that young men were crowded into the back end of a truck like cattle. I think counsel should rephrase the question.

Mr. Jenkins. I have no objection to that. Senator Munor. The point of order is upheld.

Senator McCarthy. Mr. Chairman, I hadn't finished.

Senator Mundr. The chairman is perfectly willing that it be rephrased.

Senator McCarthy. I insist on the right of finishing a sentence.

May I do that, please?

Senator Munor. I thought you had asked him to rephrase the question and he said he would do that.

Senator McCarthy. I think this is important enough, Mr. Chairman, so that I have a right to finish a sentence.

Senator Mundr. I am trying to expedite the hearing. Is it satisfactory if he rephrases the question?

Senator McCartiix. Very well.

Mr. Jenkins. Mr. Secretary, you understand that in my examination of you along this line, I am not assuming or stating that the hypothesis of my question is true. You understand that, do you not? Secretary Stevens. Yes, sir.

Mr. Jenkins. As I understand your answers, you have answered in the affirmative with respect to some of my questions, and with respect to some of them you said you had never heard of such a thing.

Secretary Stevens. That is true.

Mr. Jenkins. Let it be understood that I was not at Fort Dix in November, December, or January, and I have no personal knowledge of the truth or falsity of the basis of these questions. We understand that.

Secretary Stevens. Yes, sir.

Mr. Jenkins. I will ask you, Mr. Secretary, whether or not it came to your attention that Private Schine allegedly used the telephone or telephones at Fort Dix for the purpose of calling out other parties away from the fort, and particularly in New York City? Did you learn that, Mr. Secretary, or were you reliably informed that such facts existed? That he was allowed to leave his post of duty and go and use the telephones wherever they might be located, from time to time, an inordinately large number of times? Did you learn that?

Secretary Stevens. I learned later that he used the phone, but I

don't know how many times, Mr. Jenkins.

Mr. Jenkins. Did you learn that allegedly Private Schine from time to time called a girl friend in New York City from the telephones at Fort Dix, that he allegedly did so and did so sometimes as many as four times a day? Did you learn that?

Secretary Stevens. No, sir, I didn't know about that.

Mr. Jenkins. Did you learn—Mr. Secretary, I believe you have stated by way of an overall question that you did learn and knew from time to time that some special privilege or treatment was accorded Private Schine at Fort Dix; is that correct?

Secretary Stevens. Mr. Jenkins, I feel as if I should make a state-

ment, a little short one.

Mr. Jenkins. You may answer it and then give any explanation you desire to give.

Secretary Stevens. May I have it read, please?

(Whereupon, the question was read by the reporter as above

recorded.)

Secretary Stevens. Not during most of the time that he was there, Mr. Jenkins. I heard about all what you are talking about here afterward. My instructions to General Ryan as commanding general of the Fort Dix Post was a simple command, but it turned out to be a very difficult one to carry out. It was this: that Private Schine was to be made available for committee work, work of this committee, and for no other purpose, provided it did not interfere with his training. That was the instruction that I gave to General Ryan.

Mr. JENKINS. Did you know that Private Schine had the long

weekend off just prior to Christmas?

Secretary Stevens. I have heard that since.

Mr. Jenkins. Beginning Friday evening and extending until Sunday night at bedtime?

Secretary Stevens. Yes, sir, I learned about that since.

Mr. Jenkins. Did you further know that prior to that, Private Schine had the long weekend during Thanksgiving?

Senator McCarthy. Mr. Chairman—Secretary Stevens. I have learned it since. Mr. Jenkins. That he allegedly had.

I beg your pardon, Senator.

Senator Mundr. Do you have a point of order?

Senator McCarthy. Yes. I have a very important point of order. I made the point that counsel should not testify to facts that are in dispute. May I finish? When counsel—he has been doing it now constantly. I know it is inadvertent. I know the pressure counsel is under. But when counsel says, "Did you know, did you learn certain facts were in existence?" that means that he is in effect saying

they were in existence. The only thing the Secretary could have learned was that charges to that effect were made.

Mr. Jenkins. I accept the point of order. I was perhaps in error in leaving out the word "allegedly." I will try to conform to that hereafter.

You did learn, as I understand it, that Private Schine allegedly took off the long weekend during the Thanksgiving period?

Secretary Stevens. I learned that later, yes, sir.

Mr. Jenkins. I will ask you whether or not it was the rule at the fort, Fort Dix, that half of the personnel would take off the weekend of Thanksgiving and would remain on duty the weekend of Christmas, and the other half would remain on duty during the Thanksgiving weekend and take off during Christmas? Is that or not the fact?

Secretary Stevens. I don't know, sir. I couldn't testify on that.

I would have to check.

Mr. Jenkins. Do you know whether or not Private Schine—and I don't assume that he did or didn't—do you know that he took the long weekend off during the New Year holiday?

Secretary Stevens. I heard later that he was off.

Mr. Jenkins. Mr. Secretary, I will ask you whether or not General Ryan, who was the commanding officer at Fort Dix, as we understand it, communicated with you by telephone or otherwise from time to time with reference to Private Schine?

Secretary Stevens. I don't think he did, no, sir.

Mr. Jenkins. Do you know whether or not he communicated with Mr. Adams?

Secretary STEVENS. He did.

Mr. Jenkins. You were so informed by Mr. Adams?

Secretary Stevens. That is right.

Mr. Jenkins. About these unusual number of leaves and passes? Was that it?

Secretary Stevens. I knew—I heard that General Ryan was having difficulty with the case of Private Schine. I didn't hear any of the details that have been referred to here this morning, Mr. Jenkins.

Mr. Jenkins. Do you know whether or not Mr. Adams, by way of appeasement of the committee, countermanded certain orders of General Ryan and directed General Ryan to permit this special treatment for Private Schine?

Secretary Stevens. No, sir, I don't know that.

Mr. Jenkins. Do you know that Mr. Adams did tell General Ryan to permit these passes, these weekends, and so forth?

Secretary STEVENS. No, sir, I don't know that.

Mr. Jenkins. For whatever purpose he might have done it, do you know that?

Secretary Stevens. No, I don't.

Mr. Jenkins. Did Mr. Adams ever communicate such a thing to you

if it did happen?

Secretary Stevens. Mr. Adams told me from time to time that he had talked with General Ryan or one of the staff down there at Dix, but I had a very limited knowledge of these things that you are talking about until a long time after they happened.

Mr. Jenkins. Mr. Secretary, these special dispensations for Schine, if there were any at Fort Dix, or at any other place, were they or not accorded him for the purpose of appearing Senator McCarthy and an

attempt to dissuade him from the further investigation of the infiltra-

tion of bad risks at Fort Monmouth?

Secretary Stevens. Absolutely and completely not. My instruction was that Private Schine was to be made available for committee work, and for committee work alone, provided it did not interfere with his training. That was a simple instruction and it was difficult to carry out, and it had absolutely nothing to do with appearement or anything else in connection with this committee except to make him available for committee work if the committee needed him.

Mr. Jenkins. Mr. Stevens, you have testified at length with reference to an alleged explosion on the part of Mr. Cohn at Fort Mon-

mouth, on October 20.

Secretary Stevens. Yes, sir. Mr. Jenkins. Is that correct? Secretary Stevens. Yes, sir.

Mr. Jenkins. And you have detailed reports given to you by officers and other personnel, at Fort Dix, on October 20; that is correct, isn't it?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And you have told about a statement you made in the presence of some 20-odd men to Mr. Cohn on that occasion whether it be construed as an apology or not. Now, I ask you this question, Mr. Secretary: To tell this committee whether or not on October 21, the day after the Fort Monmouth incident in which Mr. Cohn's name has been connected, whether or not on the succeeding day, October 21, you called David Schine for any purpose?

Secretary Stevens. My recollection is that he called me. Mr. Jenkins. Well, where were you when he called you?

Secretary Stevens. In my office. Mr. Jenkins. Where was he, Schine?

Secretary Stevens. I don't know where he was. I think he was in

Mr. Jenkins. What was the purpose of that call, Mr. Secretary? Secretary Stevens. I can't recall all of the details of it, but I think that I could sum it up by saying that David Schine was not happy about his forthcoming induction.

Mr. Jenkins. And is your recollection clear as to whether you

called him or whether he called you?

Secretary Stevens. My recollection is pretty clear that he called me, and in fact I am certain of that.

Mr. Jenkins. You are now certain of it?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And this prospective inductee who was not then in the Armed forces, you say, called you, the Secretary of the Army, the highest ranking officer in the Army, from New York City on October 21, because, as you say, he was not happy over his prospects of being inducted; is that what you are saying, Mr. Secretary?

Secretary Stevens. I think that about sums it up, Mr. Jenkins. Mr. Jenkins. Wasn't that most unusual for a citizen, a private

citizen to whom you were not obligated? Secretary Stevens. Well, Mr. Jenkins-

Mr. Jenkins. To call the highest officer in the Army, and take up your valuable time and tell you that he wasn't happy about the

prospects of being inducted, and is that what your recollection is,

Mr. Secretary?

Secretary Stevens. That is my recollection. I must recall, however, to you, that the week previously, on the 14th of October when I was in New York, that I had quite a discussion with David Schine riding downtown with him in his car, and that I had attempted to get over to David Schine the opportunity that was really his to come into this Army and serve his country.

Mr. Jenkins. And it was after this call, alleged call, from Schine to you, from New York City, on October 21, that you gave your luncheon in the Pentagon on November 6; that is correct, isn't it?

Secretary Stevens. That is right.

Mr. Jenkins. And as I recall the burden of your statement, it was and is that you do not know and will not now tell this committee whether or not on November 6 you included David Schine as one of

your guests?

Secretary Stevens. I think the arrangements were made by members of my staff and I cannot testify on exactly who was invited. Of course I knew that Senator McCarthy and Mr. Cohn were coming and I think I knew that Mr. Carr was coming: and whether Dave Schine or any other member of the staff might have been invited, I don't actually know at this time.

Mr. Jenkins. It is alleged that during that luncheon, on November 6, there was a vacant chair at the table, and that you expressed great

regret that Schine had not been able to attend.

What is your recollection on that, Mr. Secretary? Secretary Stevens. I don't recall a vacant chair.

Mr. Jenkins. Do you recall whether or not you said you regretted that Schine wasn't there as a guest?

Secretary Stevens. I don't recall that; I don't recall having made

any such statement.

Mr. Jenkins. Well, what is your best recollection about it?

Secretary Stevens. My best recollection is that I did not, but I can-

not positively say I didn't.

Mr. Jenkins. Well, now at the request of this committee, I now ask you, Mr. Secretary, to read into the record the report you were about to read before I began what I hope is my final cross-examination of the Secretary.

Senator Mundt. The Secretary may read the report.

Secretary Stevens. This is headed, Mr. Chairman, "Fort Monmouth Cases."

Senator McClellan. Do we all have copies of that? I had one here a moment ago, and have copies been provided for all members? Senator Mund. No copies have been provided for the Chair, I

Senator Mundr. No copies have been provided for the Chair, might add.

Mr. Jenkins. Might I ask one other question?

Senator Jackson. I understand there is just one copy, and I was informed by the clerk of the committee that there was only one copy.

Senator Mundt. Very well.

Secretary Stevens. We have other copies, and I don't know how many, but here is one here and I will be glad to make it available to you.

Senator Mundt. If they are available, would you have one of your

aides send it to the committee?

Secretary Stevens. I don't think we have enough for all members but we will provide that for you.

Mr. Jenkins. I have one other question, Mr. Secretary.

Have you seen, read, or examined a written statement which has been filed by counsel, Mr. Adams, which was filed either yesterday morning or the day before that, and have you seen that, Mr. Secretary?

Mr. Adams has written a statement consisting of 40 pages, which he

has filed with this committee.

Secretary Stevens. No. I don't.

Mr. Welch. Will you give us a moment in respect to that? I wish to confer with Mr. St. Clair.

Mr. Jenkins. Certainly.

Mr. Welch. Mr. Jenkins, Mr. St. Clair informs me that the paper or document which you refer to was handed to you, sir, as an aid in examining Mr. Adams, and it is expected that Mr. Adams' testimony will be all what you and I call Q and A, meaning question and answer.

Mr. Jenkins. And that it will not be read?

Mr. Welch. That is my present understanding, sir, that Mr. Adams will testify Q and A and make no prepared statement; and the paper handed to you, sir, was in the nature of a lawyer's tool from which he

could work in examining the witness.
Senator Munder. The Chair understands that this 40-page statement which he was about to have the screening committee read, is not to be read by Mr. Adams and was not submitted in conformity with the 24-hour rule.

Mr. Welch. That is my understanding.

Senator Mundt. Thank you.

Mr. Jenkins. Is there not, Mr. Welch, is it your understanding that it would be improper in view of the circumstances under which this 40-page statement was left with me, for me to use it as a basis for a short further cross examination of the Secretary?

Mr. Welch. I would not think it improper, sir, and I only thought it fair to point out the purpose for which the paper was handed to you.

Senator Mundt. Counsel may proceed.

Mr. Welch. I don't know whether or not this witness read it after it

was prepared or not.

Senator Munder. The question is directed to the Secretary for the purpose of finding out, I think, whether he had read it or not.

Secretary Stevens. I have not. Senator McCarthy. Mr. Chairman.

Senator MUNDT. Do you have a point of order?

Senator McCarthy. It is not a point of order, but it is an important question. You are talking about a 40-page statement which I haven't seen.

Senator Mund. The Chair would explain that a 40-page statement was submitted to the Chair yesterday by the counsel in the belief that Mr. Adams was submitting it in conformity with the 24-hour rule, to be read, and he and we have talked to Senator McClellan and Senator McClellan and I, in council, are supposed to read all of these statements in advance; and we find out it is not necessary to read it in advance, and it is not a statement that Mr. Adams expects to read.

This is information that he has submitted to the counsel, as both sides have been submitting information to the counsel, to enable him

better to do his direct and cross-examination.

Mr. Jenkins. May I ask you one other question, Mr. Stevens, please, sir, and that is this: whether or not this statement is true, being a written statement on the part of Mr. Adams—

On November 18, General Ryan telephoned me from Fort Dix and stated that he had a request from the subcommittee staff for a long weekend pass for Schine which he intended to refuse. I talked to the Secretary on the matter, and Mr. Stevens stated that since we had just succeeded in patching up the press conference irritation and since Schine's 8-week training cycle had not yet commenced, he felt that it would be better in the interest of cooperation with the committee to make Schine available on this occasion. I so advised General Ryan.

Do you recall that incident, and if so, state whether or not that is true.

Secretary Stevens. May I ask, who contacted General Ryan? Does

it say there?

Mr. Jenkins. General Ryan telephoned, according to this portion of the statement, Mr. Adams and told Mr. Adams that Schine had made a request for a long weekend pass and that he, Ryan, was going to refuse it, Ryan being the commanding general at Fort Dix, Mr. Adams says—I am leaving out the word "allegedly" now—in this statement that he talked to you and that you in effect told him to countermand Ryan's order for reasons you stated, and let this boy off on the long weekend. Did that or not happen?

Secretary Stevens. I remember something about that, Mr. Jenkins, but it was related to committee business. I never under any circumstances gave any O. K. for anything in respect to David Schine during his experience at Fort Dix except on the basis of committee business

and without interfering with his training.

Mr. Jenkins. Are you finished, Mr. Secretary?

Secretary Stevens. Yes, sir.

Mr. Jenkins. But, Mr. Secretary, my specific question is this: Did General Ryan in a conversation with your office, Mr. Adams, state that he was going to refuse the request of Schine for a long weekend pass, and did you countermand that order in effect by telling Adams to tell Ryan to let him off?

Secretary Stevens. Of course, I was not on the telephone with

General Ryan, so I do not know exactly what Ryan said.

Mr. Jenkins. But did you tell Adams to tell Ryan to reverse his position and let this boy off?

Secretary Stevens. I am sure that if I did that, I said provided it

was in connection with the business of this committee.

Mr. Jenkins. Now, Mr. Stevens, that is all, and I now ask you at the request of the committee to read your report. First, identify specifically what it is, what it contains, and then you may read it to the committee.

Secretary Stevens. It is a short report which carries the heading, "Fort Monmouth Cases," gotten up in response to the question of Senator Jackson.

Mr. Jenkins. Prepared by whom, Mr. Secretary?

Secretary STEVENS. It was prepared by members of my staff. I can identify them to you if you want that information. I do not have it right at the moment myself. Shall I proceed?

Mr. Jenkins. Yes, Mr. Secretary, you may proceed.

Secretary Stevens (reading):

As I have previously indicated, 35 Fort Monmouth employees have been suspended since August 19, 1953. Of these, 33 had been suspended by October 30. The present status of these 35 cases is as follows:

Restored to duty with full security clearance: 1.

Restored to nonsensitive duties pending further investigations: 9.

Resigned: 3.

Still under suspension: 22.

Of the 22 cases still under suspension, 16 have been heard by the First Army Security Hearing Board and these cases have been forwarded or are in process of being forwarded to the Office of the Secretary of the Army for final disposition. Two categories of such cases will be reviewed by the Security Review Board, namely, cases in which a favorable determination was reached by the Hearing Board and cases where the Hearing Board reached an unfavorable determination and in which the employee has requested a further review by the Security Review Board. (Where the Hearing Board reached an unfavorable determination and the employee has not requested a review by the Security Review Board, a decision will be made in the Office of the Secretary of the Army whether or not to accept the recommendation of the Hearing Board.)

The remaining 6 cases out of the 22 are still to be heard. It is anticipated that the First Army Security Hearing Board will dispose of all these six cases

during the next month.

An analysis of the charges issued to the employees still under suspension discloses that in each case more than one item of derogatory information was reported. The allegations made against the 22 individuals range in severity from reported, although unsubstantiated, past membership in the Communist Party (1 of those 2 cases involved activity occurring in 1933–34) to violation of security regulations and to activities of the employee's relatives indicating possible Communist sympathy on the part of such relatives. Some of the types of information that have been reported are set forth below. It must be remembered that in many of these cases the reliability of the informants is unknown and their information has not been substantiated.

(a) Past membership in organizations cited by the Attorney General as Com-

munist or subversive.

(b) Association or affiliation with persons who have been active in the Communist Party or in organizations cited by the Attorney General.

(c) Activity, membership, or affiliation with organizations, including political parties, which have been reported to be Communist dominated or controlled.

(d) Association with relatives who have been reported to be active in Communist affairs.

(e) Signing Communist Party nominating petitions or other petitions sponsored by Communists.

(f) Subscriptions to the Daily Worker or other Communist publications. It may be of interest to relate the actions taken by the Army in the 35 cases under discussion by the committee. Of the 35 employees involved, 25 were interrogated by the committee. Of these 25, the suspensions had occurred in the following order:

August 19-1.

September 29—4. An additional employee who was not called by the committee was also suspended on September 29.

October—19. February—1. A total of 25.

None of the individuals who were employed at Fort Monmouth at the time

they were called before the committee invoked the fifth amendment.

With respect to the 19 employees who were suspended during the month of October, the Army already had derogatory information in every case sufficient to be the basis for suspension. These 19 cases, in common with many others, were in the process of reexamination as required by President Eisenhower's Executive Order 10450 of April 27, 1953. Insofar as the results of committee interrogations of these 19 individuals have been made available to the Army, no significant item of derogatory information was developed by the committee which was not already known to and being acted upon. In one additional case, the committee did develop certain derogatory information of a minor nature which was not known to the Army at that time. The suspension which occurred in

that single case was based upon information already available in Army files, upon a further investigation conducted by the FBI, and upon statements made by that employee before the committee in executive session.

Senator McCarthy. Mr. Chairman——Secretary Stevens (reading):

In all these cases and others like them time is consumed, depending upon the degree and accuracy of evidence and regulations and laws under which the Army must operate. In all such cases, however, where derogatory information is sufficient to create a doubt, the employee concerned is immediately either suspended or placed on nonsensitive work and deprived of access to classified information until it is certain that his further employment will not jeopardize the Government. In every instance the investigative work on these cases is, and has been done, by the FBI and/or the Army's Counter Intelligence Corps.

That is the end of the statement.

Senator Mundt. Senator McCarthy, do you have a point of order? Senator McCarthy. Not a point of order, but I am not sure whether I heard the Secretary correctly or not, and I wonder if I could just have this cleared up. Was one of the categories that you read, Mr. Secretary, in which you cover those who were suspended for various reasons, did you include in that the removal or thefts of secrets from the radar laboratories? I am not sure if I heard you on that. You read 6 or 7 or 8 different reasons.

Senator Mundt. Will you provide Senator McCarthy with a copy of the statement, and he will have during the noon hour to read it and

object to what was said.

Secretary Stevens. I think that you have a copy of it there now, Senator.

Senator McCarthy. May I ask a question?

Senator Mundr. If it is something you did not hear that you want

him to repeat, you may ask it.

Senator McCarthy. I want to know whether he did, in reading that list, whether one of the categories covered removal of secret material from the radar laboratories.

Mr. Jenkins. That properly comes under the heading of cross-examination, and Senator McCarthy will undoubtedly have his opportunity to do so and to develop that fact.

Senator McCarthy. Just a moment. I just want to know what

he said.

Secretary Stevens. You have got a copy of the statement.

Senator McCarthy. Just answer me, Bob.

Secretary Stevens. Why don't you look at the statement, and I think you can get the answer yourself.

Senator Mundt. If Senator McCarthy has a copy of the state-

ment-

Senator McCarthy. I will wait and bring it up on cross-examination.

Senator Mundt. We are now about as close to 12:30, I believe, as we can come, and we will recess until 2:30 this afternoon.

(Whereupon, at 12:30 p.m., the hearing was recessed until 2:30 p.m., of the same day.)

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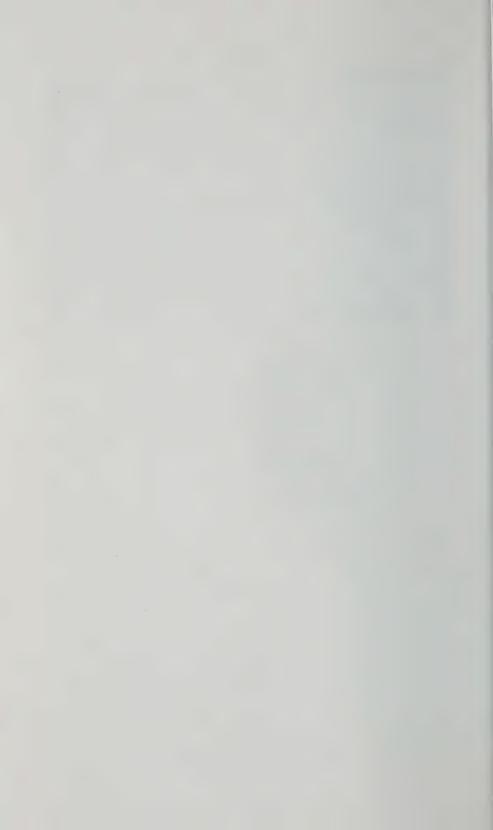
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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION
PURSUANT TO

S. Res. 189

PART 10

APRIL 28, 1954

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ing the hearings. This is the first time we have had an opportunity for a full meeting of the subcommittee since the hearings have begun.

It will be at 10 o'clock in my office in the morning.

I believe, Mr. Counsel, that at the termination of hearings this morning it was the Chair's time to proceed with 10 minutes, unless some question has occurred to you in the meantime that you want to ask first.

Mr. Jenkins. I have no further questions, Mr. Chairman.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Senator Mundr. The Chair will then proceed and the timekeeper

will notify him when his 10 minutes has expired.

At the conclusion of yesterday's hearings, Mr. Stevens, you requested from me and I granted to you the opportunity to refresh your memory over the night, and to give some thought to a particular question that I have been reiterating in one form or another now as my

time at bat has come for the last 3 days.

In the interest of expediting the hearings, the Chair feels that not only in your case but in the case of all other witnesses on all of the various sides and phases of this controversy, if we could place before the committee specifically times and places of the allegations of misconduct it would be much easier for the committee members to level their interrogatories directly at the points of issue and I think will move in the direction of speeding the hearings which is certainly an eventuality which all members of the committee equally desire.

So now let me ask you first of all, Mr. Secretary, after refreshing your memory and giving it due thought and consulting with whoever you thought you should consult, last night, whether you care to add any specific allegations of improper conduct to those which you have made insofar as Mr. Carr is concerned; and if the Chair is correct in his memory at the moment those allegations are twofold: One, that he sat in the presence of the Senator and/or Mr. Cohn when they were talking to you about Schine and did not try to stop them from talking to you about Schine; and the other that you object to a statement which he made in the memoranda which has been printed, and since the memoranda was printed subsequent to your original 34 charges, of course, that was not one of the allegations you were making against Mr. Carr originally.

Now, will you answer the question from whatever data and records you may have been able to gather, or from your own memory, specifically concerning Mr. Carr, both before and after the induction of Private Schine, and I shall ask the same questions concerning Senator

McCarthy and Mr. Cohn.

Secretary Stevens. Well, Mr. Chairman, you have asked me to summarize and segregate my testimony with respect to the improper means which were to my knowledge used by Frank Carr, executive director of the staff of this subcommittee, to obtain preferential treatment for G. David Schine.

Yesterday I stated in substance that if the only evidence produced in these hearings against Mr. Carr was his conduct in my office on October 2, 1953, I would acquit him if I were his judge. However, I believe that before these hearings are concluded substantial evidence implicating Mr. Carr in the course of conduct pursued by Senator McCarthy and his staff will be brought forward.

Senator McCarthy. Mr. Chairman—— Secretary Stevens. In addition I don't——

Senator Mundr. Do you have a point of order?

Senator McCarthy. I have a point of order, and I dislike interrupting the Secretary, but since one of the very important matters to be decided by the committee is whether or not the Secretary's memory is correct when he recites what has gone on months ago, I think it is proper now to show that after refreshing his recollection over last night that instead of testifying from memory he is now reading from a document.

Secretary Stevens. That is right.

Senator McCarthy. I think that should be clear in the record.

Senator Mund. I think that is proper and let the record so show if that is in accordance with the fact.

Secretary Stevens. Absolutely.

Senator Mundt. You may continue to read.

Secretary Stevens. I worked on this very diligently.

Senator MUNDT. This is a document which you prepared yourself, Ir. Secretary?

Secretary STEVENS. In company with my counsel. Senator MUNDT. In company with your counsel?

Secretary Stevens. Yes. In addition I do not believe that it is possible to segregate Mr. Carr's conduct from that of his associates. However, that is a question which you must ultimately decide. Mr. Carr called on me with Mr. Roy Cohn on October 2, 1953. When they were in my office that day, I considered that they were there for a common purpose, and that Mr. Cohn's statements on behalf of Schine met with Mr. Carr's approval.

As I have said before, Mr. Cohn did most of the talking on this occasion, as well as on others, but at no time during the conversation did Mr. Carr take exception to Mr. Cohn's action or in any way attempt to disassociate himself from the subject of the special assignment for

Mr. Schine.

The very fact that he was the executive director of the subcommittee staff and did not object when I was asked for the convenience of the subcommittee to make a special assignment for one of his subordinates, left me with the definite impression that he fully concurred in Mr. Cohn's position.

Senator McCarthy. Mr. Chairman—— Senator Mundt. Have you a point of order?

Senator McCarthy. Is this a new series of guilt-by-silence, I wonder?

Senator Mund. That is a proper question for the Senator to ask in his own time, and I would appreciate it if no spurious, to quote the illustrious counsel, points of order would be made to interrupt the interrogatories in which I am endeavoring to engage.

Senator McCarthy. Mr. Chairman——Senator Mundt. Your point of order is over.

Senator McCarthy. May I say that there is no one who feels more strongly about what is going on than I, and I can assure you that there will be no interruption unless I think it is of importance.

Senator MUNDT. Thank you very much.

Senator McCarthy. I think it is important now to make a point of order that the Secretary is trying to impute guilt by silence to Mr. Carr.

I will cover it in my cross-examination. And I don't ask the Chair

to rule on it.

Senator McClellan. Mr. Chairman, if we are all going to make speeches, then I am going to reserve the right to make one, too, directly.

Now, I hope we can proceed with the expedition of the business at hand. But this interrupting just to make speeches is not calculated to

expedite these hearings.

Senator McCarthy. Mr. Chairman——

Senator Mund. The Chair quite agrees with the statement made by Senator McClellan. And I think unless points of order are stated, at the time that the interruption is made, that the Chair will have to discontinue the practice of recognizing Senators or counsel on points of order.

Senator McCarthy. Mr. Chairman—

Senator MUNDT. We have been as lenient as possible to be completely fair, but they should be limited to points of order and I am sure that counsel and Senators know enough of the parliamentary background to have some remote idea at least to what a point of order actually is.

Senator McCarthy. May I say, Mr. Chairman, that I do intend to interrupt whenever I find flagrant dishonesty on the part of a wit-

ness. May I finish, Mr. Chairman?

Senator Mundt. You may not because the rules of the committee are very clear that there are to be no interruptions at any time, except on

points of order dealing with relevancy and materiality.

It is equally clear that the Senator will have his turn at bat for 10 minutes when he can ask the questions he thinks should be asked. Every other Senator, in turn, has the right to ask the questions he wants to have asked and to get the answers he desires.

The Chair does not propose to be interrupted by points of order

which are not in fact points of order.

Senator McCarthy. A point of order, then. I came back to Washington, and I thought we adopted rules, and I didn't know that we adopted a rule that a Senator could only bring up a point of order. I thought that, when we want to ask the Chair a question, we would have the right to do that. And I can see no reason why we should not.

Mr. Jenkins, may I please-Mr. Jenkins, may I have the Chair's

attention?

Senator Mundt. I am listening.

Senator McCarthy. You can't listen to both at once. I know you have two ears, but you can't listen to both people at once.

Senator Mundt. Proceed.

Senator McCarthy. Mr. Chairman, this is a matter of tremendous importance to me and to my staff, and I don't think anyone can accuse me of interrupting unnecessarily. But I—I see Mr. Hensel disapproves—

I do, Mr. Chairman, thank you for the privilege of proceeding. I do think, No. 1, that I should be able to raise a point of order, and

No. 2, when I have a question of the Chair, I think that I should be able to ask that question. And I assure the Chair that there will be no questions asked unless I think they are important. But I think we should have that right.

Senator Mundr. If the Chair may respond, let me say it is quite correct that the rules of our committee were adopted at meetings at which the Senator was not present, because he was not a voting

member of the subcommittee.

But the rules of the committee are quite clear, and they have been

published. And I am sure the Senator has a copy of them.

All the Chair can do is to enforce them. And they were adopted unanimously. And they state rather specifically, in rather clear-cut English, that there shall be no interruptions at any time except on points of order, and the points of order are to be limited to relevancy and materiality.

So, for that reason, the Chair feels that when Members of the Senate or counsel desire to interrupt with a point of order they should state that point of order so we can tell whether or it is in fact a point of order, to be heard briefly on it, and at the pleasure of the Chair.

Then a ruling will have to be made. If all of us will restrain our-

selves accordingly, we can expedite the hearing.

To keep it completely fair, we provided that every Member of the Senate and all counsel would have 10 minutes in which he, in turn, can proceed without interruption, and that roundtable procedure would continue until all interrogations had been made.

Senator Jackson. Mr. Chairman, I want to commend the chair-

man----

Senator McCarthy. Is this a point of order, Mr. Chairman? Senator Mundt. If he is going to commend the Chair, please don't interrupt him. [Laughter.]

Senator Jackson. I will state a point of order.

Senator Mundt. Will you state your point of order, Senator Jackon?

Senator Jackson. Mr. Chairman, it is my understanding that the distinguished chairman, the Senator from South Dakota, has restated the rules that apply in this hearing. Am I correct?

Senator Mundr. That is correct, as the Chair understands them. Senator Jackson. I hope that those rules will continue to be adhered to as the chairman has so effectively stated them. I, for one, want to back him up 100 percent in seeing to it that they are carried out in the interest of expedition of this bearing.

in the interest of expedition of this hearing.

Senator Mundt. Thank you very much. The Chair will endeavor

to do his best.

Senator Symington. Mr. Chairman—

Senator Mundt. A point of order, Senator Symington?

Senator Symington. I would like to make a short observation, and that is, if the fine statement you have made does not result in these hearings proceeding in an orderly and expeditious fashion, when we meet together tomorrow at 10 o'clock as a committee with counsel, we discuss changing the rules so that the hearings can proceed in an orderly fashion.

Senator McCarthy. Mr. Chairman.

Senator MUNDT. Have you a point of order?

Senator McCarthy. Yes, I have a very important point of order. Senator Symington now suggests that you change the ground rules halfway through the game. As the Chair well knows, I withdrew from this committee and appointed someone to take my place, on condition that we adopt certain ground rules, that those rules not be changed; and any attempt to change the ground rules halfway through the game after the clearcut understanding at which Mr. Symington was present, I think would be completely improper and dishonest.

Senator Munor. May the Chair state that he has no intention, at the moment certainly, of changing the ground rules. He does want to try to enforce them as vigorously as possible in order to be fair to all parties concerned. One way to make them work effectively is for the members of the committee and counsel to refarin from making any more points of order than they feel are absolutely essential.

Senator Symington. Mr. Chairman, I would like to make a comment. It is my understanding that the members of the committee are trying to live up to the rules. If we do live up to the ground rules, as they have been called, as they have been set prior to the start of these hearings, I am heartily in favor of those ground rules. If any individual or any member of the committee or anybody else attempts to violate those rules, then if I may respectfully say so, sir, I believe the chairman and the committee and the counsel should take those steps necessary to see that the rules are carried out.

Senator MUNDT. Proceed with the testimony. I am sorry, I am entirely at sea as to what the question—I will have to ask the Secretary—were you in the process of making a statement?

Secretary Stevens. I am making a statement here.

Senator Mund. Will you pick it up with the beginning of the paragraph or sentence, so we can get the continuity, and then you may continue.

Secretary STEVENS. Before I do, Mr. Chairman, may I say with the very deepest conviction that I deeply resent the suggestion by the Senator from Wisconsin that as a duly sworn witness I am taking—what he called "guilty of flagrant dishonesty." I object to

that.

Senator Mundt. I think you may proceed now with your statement. Secretary Stevens. Mr. Carr's version of what transpired during that conference is a matter of record in his memorandum of that date, which has been released by Senator McCarthy. In that memorandum Mr. Carr makes no attempt to disassociate himself from Roy Cohn or from any part of the discussion of the Army future of Mr. Schine.

Again, on November 6, 1953, Mr. Carr was present in my office, this time with Senator McCarthy and Roy Cohn. The memorandum released by Senator McCarthy concerning this conference again makes no effort to disassociate Mr. Carr from the others present, nor was I given any reason to assume that he was there for any different purpose.

It was at this conference that a request was made to make Private Schine available for subcommittee business while at Fort Dix. I am not now able to give any exact statement made by Mr. Carr on this occasion, but I am clear that he indicated no disapproval of the position taken by Senator McCarthy and by Mr. Cohn with respect to Private Schine, and I am also clear that Mr. Carr in his official capacity as executive director of the staff of this subcommittee, if he had not

agreed with Senator McCarthy and Mr. Cohn as to the subcommittee's need for Private Schine, he would have expressed his disagreement.

This he did not do.

I next saw Mr. Carr at a luncheon with Senator McCarthy at the Carroll Arms Hotel on December 10. On this occasion Senator Mc-Carthy requested that I assign Private Schine to New York City after 8 weeks of basic training, in order that Private Schine might, among other things, examine textbooks used at West Point. During this luncheon, Mr. Carr again remained relatively silent. However, I considered that he was present at the request of Senator McCarthy as executive director of the subcommittee staff, and again he expressed no disapproval of what the Senator said.

I consider that all of these acts were part of a pattern of pressure being exerted to obtain special treatment for Mr. Schine. I am sure that Mr. Carr will be given every opportunity to explain his conduct and to disclaim any responsibility for or concurrence in the conduct of his associates if he so desires. I think that he should be given that opportunity in respect to each of the occasions on which he is

alleged to have been a participant.

That is the end of my statement. Senator Mund. You omitted one of the statements which appeared in your specification of April 13. Unless in the confusion the Chair failed to hear you, you did not refer to the meeting on November 16, where you alleged in that statement that on or about November 16, 1953, Mr. Cohn and Mr. Carr renewed the threats that are recited in paragraph 11 above, this time directing them to Secretary Stevens. Senator Jackson. Where is that?

Senator Mundr. That is item No. 12 on the specifications, on page 3,

November 16.

Are you withdrawing that? Have you comment to make upon that? Secretary Stevens. Mr. Chairman, I was given a great deal of nightwork to do, and several of my staff. We may have made an omission. If we have, it is a complete oversight and I would like to have the opportunity to check it.

Senator Mundt. The Chair would be very happy to have you testify to this one on memory, because you devoted most of the night to try to revive the situation and try to bring it back to the forefront of your mind. I think perhaps you could testify as to this incident

from memory.

Are you able to find it for him, Mr. St. Clair? Do you have what I have in mind?

Very good.

Secretary Stevens. I have testified in regard to that meeting at

length, Senator Mundt.

Senator Mundt. I do not want you to go back to the meeting except insofar as Mr. Carr threatened you. That is a very serious charge. I would like to know whether he gave you an audible threat or a physical threat or by gesture, or whether it was just a threat that resulted from the fact that he was present and sat silent.

Secretary Stevens. He didn't sit silent.

Senator Mundt. Very well. What did he say?

Secretary Stevens. This meeting on the 16th of November came about in the first instance due to the press conference that I held on the 12th of November, and Mr. Carr-Mr. Cohn called on

Senator Mundr. I am sorry. My time has expired. I will have to

revert to that in my next 10 minutes.

Secretary Stevens. That is quite all right. I want to try to answer this question for you, Senator Mundt. I am searching my mind, which has gotten thoroughly full over the thing over a period of some 13 hours in this witness chair.

Senator Munder. I appreciate that.

Before my time comes around again, we will have about another hour, but I am afraid not to do uninterrupted thinking. But you will have another hour.

Senator McClellan?

Senator McClellan. Mr. Secretary, you say you have been pretty well occupied during the last evening. Just before we recessed I asked you if you might get up for us the number of man-hours that have been consumed on the part of the Army by reason of this controversy, by reason of your allegations that undue pressure has been applied in order to secure preferential treatment for Mr. Schine. Were you able to work on that last night?

Secretary Stevens. We were not able to complete that assignment. Senator McClellan. Then, Mr. Secretary, if you haven't been able to complete it, I will defer that until such time as you may be able to supply it. In the meantime, in the interest of expediting these hearings to a conclusion, I shall not ask any other questions.

Senator Mundr. Senator Dirksen asked the Chair to advise his colleagues that he is temporarily detained on the floor and that he does have some more questions of Secretary Stevens and will be here shortly.

We will go now to Senator Jackson.

Senator Jackson. Mr. Secretary, to revert to the agreement at Fort Dix with reference to the granting of passes to Private Schine, in fairness to Senator McCarthy, can you say that he necessarily knew about all of the requests from Mr. Cohn and/or Mr. Carr for his release, Private Schine's release from Fort Dix from time to time in connection with committee business?

Secretary Stevens. No, Senator Jackson, I could not make that

Senator Jackson. So that it is conceivable that Senator McCarthy might not have known about the various requests made on the base commander and/or officers at Fort Dix?

Secretary Stevens. That is perfectly possible. Senator Jackson. I assume, then, that is why you sent Mr. Adams to see Senator McCarthy about this. You heard about it?

Secretary Stevens. Oh, yes, I heard about it. Senator Jackson. And Mr. Adams was sent to see Senator Mc-Carthy, is that right?

Secretary Stevens. He would have to testify on that. Senator Jackson. You don't know of your own knowledge?

Secretary Stevens. I believe that was while I was in the Far East? Senator Jackson. Now, there is one other matter that I would like to see if we can't, if possible, get cleared up. There has been a lot of talk here in response to questions about the suspension of hearings or investigations in connection with the Fort Monmouth matter. Am I

correct in understanding from all of your testimony up to now that you never requested a suspension of the investigation by Senator

McCarthy's committee?

Secretary Stevens. Well, Senator Jackson, at the meeting in New York on October 14, I got the impression that Senator McCarthy was about to turn this hearing of Fort Monmouth over to the Army. And that did not take place, and perhaps I had an incorrect impression.

Senator Jackson. Well, Mr. Secretary, in your mind did you make a distinction between the suspension of an investigation and the

suspension of a hearing?

Secretary Stevens. I certainly did.

Senator Jackson. Will you explain what that distinction is?

I am just trying to clarify this record, if it is possible.

Secretary Stevens. Well, the difference, in my mind, was a committee of Congress, if it is embarked on an investigation, that that investigation ought to run just as long as the committee wants it to run, without any interference or suggestion by anybody.

Senator Jackson. Then I assume that you had no objection, is

that right?

Secretary Stevens. I had no objection. Senator Jackson. To the investigation?

Secretary Stevens. That is right. None whatever. The thing that I objected to was the type of hearing that was being held which was resulting in very exaggerated headlines that had little relation to the facts that were being developed at Fort Monmouth.

Senator Jackson. How did that result, and will you just explain how did the hearing—it was an executive hearing, I understand, that was being held. And how did that result in what you referred to as

an exaggerated result?

Secretary Stevens. Well, it resulted from Senator McCarthy's summary of what transpired at the executive hearing when he came out of the hearing and addressed the press. And they would take, naturally, what Senator McCarthy told them. And that would be the basis of the story, and it gave indication, for example, that quite a bit of espionage was going on at Fort Monmouth. And I have repeatedly testified I did not in November know of any current espionage at Fort Monmouth, and I do not now.

Senator Jackson. Then, do I understand your testimony correctly, that what you wanted was a suspension of that type of hearing, which resulted in those summary statements to the press, after an executive

session; is that what you wanted us to hear?

Secretary Stevens. That is what I wanted, to stop this hammering

over the head of the Army.

Senator Jackson. You did not ask for a suspension or termination of the investigation by the committee?

Secretary Stevens. No, sir.

Senator Jackson. That is all, Mr. Chairman. Senator Mundt. Senator Potter.

Senator Potter. Mr. Secretary, in reply to a question by Senator Jackson, you stated that it was your impression that Senator McCarthy had more or less agreed to turn the investigation of Fort Monmouth over to the Army?

Secretary Stevens. I got that impression.

Senator Potter. Now, what gave you that impression?

Secretary Stevens. His hearings had been going for about a week, and I think that he felt that he had gotten this thing started from the standpoint of this committee, and he would be satisfied to have the Army carry it along and report to him on progress and he would undertake something else.

Now, that was my impression. Senator Potter. Can you recall any conversation that you had with Senator McCarthy concerning the committee allowing the Army to carry on this investigation?

Secretary Stevens. I can't recall the actual language used, Senator

Potter, no. I received that impression.

Senator Potter. You can't testify that Senator McCarthy said "Well, you can carry on the investigation and we will step out of the picture?"

Secretary Stevens. No, I don't think he said it that way.

Senator Potter. Mr. Chairman, if I may, in order to expedite this hearing, I would just as soon have the Secretary continue with the document he was reading at your request, if that is agreeable with

Senator Munder. I would be perfectly happy to have you proceed,

as that would bring it out.

Senator Potter. I believe that you completed your summation of the specific charges concerning Mr. Carr. That is with the exception of this one that had been omitted, one meeting had been omitted.

Secretary Stevens. That is right.

Senator Potter. Now, I would like to ask you if you would report on the specific allegations made concerning Mr. Cohn on behalf of Mr. Schine.

Secretary Stevens. These brief statements are, of course, Mr. Chairman and Senator Potter, an attempt at a synopsis and segregation of testimony concerning these individuals, because I have testified at great length with respect to my personal knowledge of all of these matters, and it is very hard to boil it all down to a very simple state-But I have attempted to do that in the brief time that has been available.

Synopsis and segregation of testimony concerning Mr. Cohn: Roy Cohn was probably the principal source of pressure brought upon the Department of the Army to obtain special treatment for G. David Schine. Most of the pressure was brought to bear upon other members of the Department of the Army, who reported his efforts to me from time to time.

My first personal contact with Cohn on the subject of Schine was on October 2, 1953, when he and Frank Carr visited my office. At that time, Mr. Cohn asked me to assign Schine to New York City, immediately upon his induction into the Army, and without any basic training.

Senator McCarthy. Mr. Chairman. Senator Mundt. A point of order?

Senator McCarthy. Yes, I wanted to save time: If we couldn't have the reporter show at all times when any witness is reading from a document and when he is testifying without a document and I think that that may be very important later on in the course of these proceedings.

Senator Mund. It would be perfectly proper. The reporter could mark in parenthesis "reading", and that would be all right.

Secretary Stevens (reading):

On October 22, Mr. Cohn called me from New York and telling Mr. Schine was to be inducted on November 3, asked me to grant Schine a 2-week furlough.

During this call, Mr. Cohn also suggested that Schine might be used by the Central Intelligence Agency. As a result of this and another call with Mr. Cohn on October 31, Schine was given 2 weeks temporary duty as soon as he was inducted. The length of this duty was subsequently reduced at the request of Senator McCarthy.

On November 6, Senator McCarthy, Mr. Cohn, and Mr. Carr were in my office for an extended conference. Mr. Cohn participated in the request that Schine

be made available for committee business while at Fort Dix.

Following this, I believe that the contact with Mr. Cohn regarding Schine were by Mr. Adams and other personnel in the Department of the Army.

Senator Mundt. Senator Potter?

Senator Potter. I understand you also have a synopsis of your conversations with Senator McCarthy on the same issue, is that correct? Secretary Stevens. Yes. sir.

Senator Potter. You also will read from a document which you

have?

Secretary Stevens. That is right.

Senator Potter. In order to expedite the hearings, Mr. Chairman, I suggest that you give that report, Mr. Secretary.

Secretary Stevens (reading):

Synopsis and segregation of testimony concerning Senator McCarthy: I shall attempt to summarize my testimony with respect to what I consider the improper pressure brought upon me by Senator McCarthy in order to obtain special treatment for David Schine, both before his induction into the Army and there-

My first contact with Senator McCarthy at which the subject of David Schine

was discussed was on September 16, 1953.

On this occasion the Senator asked me for a direct commission for Mr. Schine, even though it had previously been determined that he was not qualified for a direct commission in the Army.

On this occasion Senator McCarthy also suggested that Mr. Schine be made a special assistant to me as Secretary of the Army or to the Intelligence Division

of the Army staff.

Senator McCarthy. What is the date of that? Senator Mundt. Will you repeat the date? Secretary Stevens. September 16. Senator Mundt. You may proceed. Secretary Stevens (reading):

Schine was inducted into the Army on November 3. On November 6, at a luncheon in my office, Senator McCarthy and members of his staff requested that I make Private Schine available for committee business while he was stationed at Fort Dix.

On November 7, Senator McCarthy again suggested that Schine be given a

few weekends off while at Fort Dix.

On December 10, at a luncheon which I attended with Senator McCarthy and Frank Carr at the Carroll Arms Hotel, Senator McCarthy requested me to assign Private Schine to New York City after he completed 8 weeks of basic training so that Private Schine could examine textbooks then being used at West Point, among other things.

Again, on January 14, 1954, Senator McCarthy requested that I especially

assign Private Schine to the New York area.

The cumulative effect of these requests made upon me by Senator McCarthy, when considered together with the conduct of members of his staff, comprise a picture of unusual pressure to obtain special treatment for Private Schine.

Senator Potter. I have nothing further, Mr. Chairman.

Senator Mundt. Senator Symington?

Senator Symington. Mr. Secretary, I would like to pursue with you a minute this question of the hearing. First, you are the Secretary of the Army, and therefore interested in the morale of the Army; is that correct?

Secretary Stevens. Yes, sir.

Senator Symington. In fact, the morale of the Army is a responsibility delegated to you by the Secretary of Defense and the Commander in Chief; is that correct?

Secretary Stevens. Yes, sir.

Senator Symington. The reason that you became worried about these Fort Monmouth hearings was because you felt that the results of those hearings, along with the hearings themselves, were affecting the morale of the Army; is that correct?

Secretary Stevens. Yes, sir.

Senator Symington. In what way were they affecting it?

Secretary Stevens. It was being indicated that our installations, for instance, at Fort Monmouth were completely infiltrated; that espionage was abundant, and that the situation was not being cleaned

up

Senator Symington. As I understand it, after these executive hearings, which is generally the word for private hearings, you felt that statements were being given to the press or implied to the press that there was espionage at Fort Monmouth to a large extent; is that correct?

Secretary Stevens. Yes, to a considerable extent. That is right,

Senator Symington.

Senator Symington. As a result of that, our troops and our command stations, our officers, our enlisted men all over the world would be very worried and that would lower their battle morale; is that correct?

Secretary Stevens. I would think that would certainly follow. Senator Symington. Therefore, you were anxious to have the nature of the hearings suspended, is that correct?

Secretary Stevens. That is right.

Senator Symington. In other words, it wasn't the hearings themselves, but the way the hearings were being conducted and the nature of the hearings—that is what you wanted suspended as against the hearings themselves?

Secretary Stevens. That is right; not the hearings.

Senator Symington. At no time did you feel that the investigation itself should stop?

Secretary Stevens. No. sir.

Senator Symington. Is that correct? Secretary Stevens. That is correct.

Senator Symington. You were anxious, actually, if the hearings went on on the basis you thought was fair to the Army and right for the Army's morale—you were anxious to have the hearings contained; is that correct?

Secretary Stevens. I would have been thoroughly satisfied to have

them continue on that basis.

Senator Symington. Let me ask another question with respect to Mr. Carr. Some of the members of the committe have gotten very interested in that, and that has increased my interest.

As I understand it, your counsel and your assistant counsel made up these charges together, without you present; is that correct?

Secretary Stevens. That is right.

Senator Symington. I asked you several days ago in the hearings whether or not, if you had made them up, you would have left Mr. Carr's name out, and you said you would not; is that correct?

Secretary Stevens. That is right.

Senator Symington. But you feel that subsequent witnesses will justify your position in this matter, and that you cannot justify it now because you haven't got the memory with respect to Mr. Carr, in that the other people present did the most talking; is that correct?

Secretary Stevens. Yes, sir.

Senator Symington. Since we adjourned for lunch today, several people have mentioned to me about why isn't Mr. Schine here. I would like to ask you, Mr. Secretary, is Mr. Schine available any time to the committee, or has counsel decided to bring him in to the courtroom or the hearing room?

Secretary Stevens. Any time; yes, sir.

Senator Symington. In other words, there is no effort on the part of the Army in any way, of any character whatsoever, to prevent Mr. Schine's being here?

Secretary Stevens. He was brought to Washington and tempo-

rarily assigned here at Fort Myer in order to be available.

Senator Symington. In order to be available any time the committee or its counsel or any proper authority asked for him to be here, is that right?

Secretary Stevens. That is correct.

Mr. Welch. Mr. Chairman. Senator Mundt. Have you a point of order?

Mr. Welch. I think Mr. Jenkins will state he has been available to Mr. Jenkins at any time.

Mr. Jenkins. That is entirely correct. Senator Mundt. Proceed, Senator.

Senator McCarthy. Just a question, Mr. Chairman.

Senator Mundt. Senator McCarthy?

Senator McCarthy. It is in the nature of the conversation that has

been going on back and forth.

Senator Symington. May I ask that this not be taken out of my time?

Senator McCarthy. I hope it is not. In view of the statement made by Army counsel and in view of the statement made by Mr. Jenkins, I should like to inquire whether or not Mr. Schine was under orders from the Army to be here the same as the generals and the colonels who I see. I don't blame them. I know they are under orders. Whether Mr. Schine was also ordered to be here, or whether he has been ordered to be at Fort Myer. I think Mr. Stevens can answer that.

Secretary Stevens. May I have that reread, please?

Senator Symington. If it is a point of order, it is a point of order. Is it a point of order to ask a question of the witness?

Senator McCarthy. Here is the point of order, Mr. Chairman.

Senator MUNDT. What is the point of order?

Senator McCarthy. The point of order is this: Mr. Symington has asked Mr. Stevens whether or not Mr. Schine was available. I think it is a very important point to ask Mr. Stevens whether Mr. Schine has been ordered to be at Camp Myer or to be here. We know that certain other officers have been ordered to be here. I think that is an important point of order to settle at this time, whether he can create the impression in answering the question—

Senator Munder. The Chair is not sure that either the statement by Mr. Welch or Senator McCarthy is actually a point of order, but believes as long as Mr. Welch did indicate that Mr. Schine was available, it might be appropriate to find out whether or not he has been ordered to be here or is simply available if the committee calls him.

We will have it out of the way.

Mr. Welch. Mr. Chairman, I will try to state that, Private Schine was in a camp in the South—

Senator McCarthy. Mr. Chairman.

Senator Mundt. He is going to answer the question now.

Senator McCarthy. I don't think counsel should testify unless he is under oath. Mr. Stevens can answer this.

Mr. Welch. I doubt if Mr. Stevens knows the details. Mr. Jenkins knows what happened about him.

Senator McCarthy. A point of order.

Mr. Welch. We can have Mr. Jenkins state it.

Senator McCarthy. Mr. Chairman, a point of order. I don't want to have this young man over here testifying unless he is under oath.

Senator MUNDT. May the Chair say he is indulging the Senator solely because he indulged Mr. Welch to point out that Schine was available. I am trying to find out in response to the Senator's solicitation whether that availability means he has been ordered to be here, or whether our committee has to order him in order to have him appear.

Senator McCarthy. I think the Chair is correct.

Senator Mund. All we are trying to do is find out. If the Senator does not want me to find out, I will desist. If you want me to find out, I shall do my best to find out.

Can you answer that, Mr. Welch, or Mr. Stevens?

Mr. Welch. Mr. Jenkins could also answer it. Mr. Schine is in this area at this moment. If the committee wishes him in this room, I think I may speak for the Army in saying that he will be made available in this room. He has been constantly available to Mr. Jenkins, and he has not been interviewed by me or anyone on my staff.

Mr. Jenkins. I specifically requested Mr. Welch to make Mr. Schine available to me for interrogation. That was done. Mr. Schine is in the area and I have talked to him briefly, and Mr. Cohn has promised to make him available to me as a witness for the committee when and if I desire to discuss the case with him fully. The Army has likewise promised that, and it is my understanding that he is assigned to a camp here in or near Washington, and that in the meantime he has been, and perhaps is now working with the committee in the preparation of its case.

Senator Mundt. Senator Symington.

Senator Symington. In order to satisfy Senator McCarthy and perhaps myself, too, as a result of this discussion, I would recommend to the committee that Mr. David Schine be told to come into this hearing room and stay here until these hearings are over.

I don't quite know where I was in my questions, but I will try to pick it up. I would like to make a statement at this point, Mr. Chairman.

Before these hearings started and when it became known they would be started, the committee decided there would be no other hearings of this committee until these differences which in effect actually are differences between the executive and legislative branches of our Government, are resolved; the committee decides who in its opinion

among these participants and principals is telling the truth.

As Senator McCarthy stated yesterday, my office and the office of other Senators were informed that he wished to go ahead with these hearings but then this committee had already passed a resolution that no other hearings would be continued, although the committee felt that investigations of communism in Government or anywhere else, all members of the committee felt that that was of great importance. It was of paramount importance.

Now, there are other committees to which this regular staff of this committee could be assigned, and Chairman Mundt has told me that these regular staff members of this committee are not working for this special committee during these investigations. And therefore, I am sure, they would be available. In fact, I have seen quite a few

of them periodically in these hearings.

This committee could vote as to whether the staff of this committee could be temporarily but promptly transferred to another committee, and in that way not only would there be no criticism of any of the principals, but there could be no possible criticism of this committee as not doing everything possible to further and expedite the investigations of communism in Government or anywhere else.

That is, if the staff members of this committee were transferred to another committee, this would seem important to me because after many months of working with this committee, I am sure that every one of the members is anxious to pursue all proper investigations of

communism.

I submit that to the Chair for consideration and hope we can discuss it at the first meeting of the full committee since the hearings started which the chairman has called for tomorrow morning.

I have no further comments or questions.

Senator McCarthy. Could I ask the Senator a question? Does he propose to transfer the permanent chairman to another committee, also?

Senator Mundt. Senator Dworshak?

Senator Symington. I would say that is a point of disorder, Mr. Chairman.

Senator Dworshak. I have no questions.

Senator Mundt. Mr. Welch, you have 10 minutes. Mr. Welch. I think I need none at this point, sir.

Senator Mundt. Now, Senator McCarthy, you or Mr. Cohn or

Mr. Carr have 10 minutes.

Senator McCarthy. Mr. Stevens, one of the points raised by counsel when he was questioning you was whether or not Dave Schine had called his girl friend, and I think, out of consideration of Dave, you didn't mention the city.

Let me ask this: Is it true that there is a regular telephone center at Fort Dix and that almost any night you can go in there and you

will find hundreds of privates calling people, I assume many of them calling their girl friends?

Secretary Stevens. I have never been in that particular—

Senator McCarthy. Is it special consideration to allow a private to call his girl friend?

Secretary Stevens. I would say not.

Senator McCarthy. In other words, you don't think that we intervened as a committee to allow Private Schine to go into the regular telephone center which they have and call up his girl friend, do you?

Secretary Stevens. Assuming that he did it when he wasn't in train-

ing or other requirements.

Senator McCarthy. Do you have any evidence he did it, he left training to do it?

Secretary Stevens. I beg your pardon?

Senator McCarthy. Do you have any evidence he did it while he should have been training?

Secretary Stevens. I don't personally have any evidence of that,

but General Ryan could testify on that.

Senator McCarthy. Now, let me ask you this: General Howard, who is the commanding officer of Mr. Schine, and I ask this because of the claim that Mr. Schine took time off to do committee work when he should have been training—General Howard had this to say according to the press.

He said in a story at Camp Gordon, Ga., UP:

Schine's commanding general held a news conference after the graduation and described the private as a good soldier with excellent character and superior efficiency.

Now in view of that, would you say that his time off, calling his girl friends, if he took that time off, had materially interfered with his training?

Secretary Stevens. I would say that his record at Camp Gordon was an entirely different thing from his record at Fort Dix, sir.

Senator McCarthy. Now, may I say this: I am embarrassed before the American people to sit here taking the time of all of the Senators and the generals talking about one private who called his girl friend. And I thought that was a common practice, and I didn't think it should be frowned upon in the Army and, perhaps, in some other departments.

In view of the fact that you brought this matter up as improper on his part, I think that I perhaps should go into it to some extent.

Is it true that one of the charges made against Mr. Schine—and again may I say that I have no record of this, because Mr. Schine was ordered not to discuss the charges, and the only record I have is a left-wing paper who got the charges which we couldn't get. And one of the charges was his shoes were commercially polished. Was that one of the bits of special favor he got, he was allowed to pay 10 cents to have his shoes polished?

Secretary Stevens. I don't know, sir. Senator McCarthy. Did you hear that? Secretary Stevens. No, I didn't hear that.

Senator McCarthy. Have you had the report from the IG?

Secretary Stevens. No, sir, I don't. Senator McCarthy. Did you see it?

Secretary Stevens. No, sir.

Senator McCarthy. Another charge, as announced, that he had special boots with straps and buckles on the side. In other words, I understand that Dave has about a size 12 or 13 foot, and he couldn't get a 13—Roy said 13—a shoe at the usual place, so he went down town and bought a shoe. That is one of the charges against him.

You don't think the committee intervened to allow him to buy a

special shoe, do you?

Secretary Stevens. I wouldn't know. I don't have any informa-

tion on that, Senator McCarthy.

Senator McCarthy. Don't you think you should get the Inspector General's report and read it over, because I think it should be used in the comic strip, really, rather than before a committee.

Another charge was that he had a fur-lined hood, is that pretty

serious, do you think?

Secretary Stevens. What is that?

Senator McCarthy. He had a fur-lined hood. Or that he complained about the cold weather. And do you think that this committee intervened to allow him to complain about the cold weather?

Secretary Stevens. I wouldn't think so; and I don't know anything

Senator McCarthy. Another charge was that instead of walking behind the jeep that was parked, he walked in front of the jeep. And do you think that anyone on the committee called and asked permis-

sion for him to walk in front of the jeep?

Secretary Stevens. I don't have any information on that, Senator. Senator McCarthy. Don't you think, actually, Mr. Secretary, that this is all ridiculous in the extreme for this committee and all of these excellent Army officers to be sitting here trying to find out why a private in the Army was successively promoted until he is finally up to the very top position of private? What do you think?

Secretary Stevens. Well, I think you would like to have had him

something other than a private.

Senator Mundt. The Chair must remind the audience of any manifestation of approval or disapproval.

Senator McCarthy. I don't mind that.

Let us for the time being assume that what you say is right. If I wanted him as something other than a private, I was awfully unsuccessful, wasn't I? Isn't that right?

Secretary Stevens. That wasn't your fault, Senator. Senator McCarthy. And, likewise, if, as was claimed, you and Mr. Adams wanted to get us to call off the hearings, you also were very unsuccessful up until the time you filed your charges against Mr. Carr, Mr. Cohn, and myself?

In other words, do you follow me, there is a charge here that somebody, McCarthy, Cohn, or Carr, tried to get Schine promoted beyond

private.

There was also the charge that Mr. Adams and others tried to get us to call off the hearing. I think we should make the record very clear now, that if it is true those attempts were made, they were awfully unsuccessful up until the time you filed the charges against the committee, isn't that right, and then the hearings were called off?

Secretary Stevens. You and I discussed that at length yesterday. And I say that when the Army answered Senator Potter's letter, it did not have the effect of stopping the work of the Congress of the

United States. And I restate that now.

Senator McCarthy. I am going to go into that matter of Senator Potter's letter later. But time is short now, and I want to make it clear that Senator Potter only wrote that letter after it had been publicly made known that you had a report available. And I think Senator Potter, then, rightfully asked for that report. And I think it is improper to try and create the impression he started this investigation.

But let us get on to the next question. There was the information this morning that all soldiers, all privates, except Dave Schine, on occasions were treated like a bunch of cattle. You don't believe

that, do you?

Secretary Stevens. It certainly is not the policy of the Army to treat its privates like cattle. And I am sure that that is not the case.

Senator McCarthy. You are positive that is not the case?

Secretary Stevens. It is astounding, if it was.

Senator McCarthy. So if a report said that the other soldiers were handled like a bunch of cattle, and Dave Schine had the special consideration of riding in the cab of the truck, you would certainly disbelieve the first part of it about their being treated like cattle, wouldn't you?

Secretary Stevens. Yes, sir. We don't treat our soldiers like cattle. Senator McCarthy. So if that part were false, would you somewhat question the other parts of the report too?

Secretary Stevens. Not necessarily, no, sir.

Senator McCarthy. In other words, you would pick out the parts that you, yourself, were convinced were false?

Secretary Stevens. I would have to know what each position was

and then have an opinion about it.

Senator McCarthy. Do you know General Lawton?

Secretary Stevens. Yes, I do.

Senator McCarthy. General Lawton is the commanding officer, is he not, at Fort Monmouth.

Secretary Stevens. That is right.

Senator McCarthy. Is it true that that after General Lawton had given this committee cooperation—I may say, I think he gave the committee complete and full cooperation—is it true that you were so irritated by that that you decided to relieve Lawton of his command?

Secretary STEVENS. That is not true. Senator McCarthy. It is not true? Secretary STEVENS. That is not true.

Senator McCarthy. Did you ever decide to relieve Lawton of his command at Fort Monmouth after our investigation started?

command at Fort Monmouth after our investigation started?

Secretary Stevens. No. The way you asked that question before, Senator, you asked, in effect, due to the fact that the general had cooperated with your committee——

Senator McCarthy. Mr. Secretary, I have a limited time to ask you questions, so will you try to keep your answers short. The question is: Did you ever attempt to or decide to relieve General Lawton of his command after our investigation started?

Secretary Stevens. I gave some thought to it but not for that

reason.

Senator McCarthy. You gave support to it?

Secretary Stevens. I gave some thought to it, Senator McCarthy,

but not for the reason you suggest.

Senator McCarthy. Is it true that you sent messages to me through Mr. Adams asking that we do nothing about it if General Lawton were relieved of his command?

Secretary Stevens. When I had up the question-

Senator McCarthy. You can answer that. Secretary Stevens. Whether or not Lawton should be transferred-

Senator McCarthy. No, no. The question is: Did you send messages to me through John Adams asking whether or not we would be quiet and do nothing about it if Lawton were relieved of his command?

Secretary Stevens. I wanted you, Senator, to know that I had this in mind as a possibility, and I asked John Adams so to inform

Senator McCarthy. Didn't you ask John-

Senator Mundt. Your time has expired, I am sorry.

We revert to Mr. Jenkins.

Mr. Jenkins. No more questions, Mr. Chairman.

Senator Mundt. When my time expired, Mr. Secretary, you may recall you were trying to refresh your memory and bring into focus any details which you might be able to recapture concerning the one phase of the allegations against Mr. Carr which did not appear in your original memoir. That was the one numbered No. 12, dated November 16, about Mr. Cohn and Mr. Carr renewing threats that are recited in paragraph 11 above.

I asked you specifically what was the nature of the threats made

by Mr. Carr, if any.

Secretary Stevens. It was very strongly indicated at that time that the Fort Monmouth hearings were going to reopen very promptly.

Senator MUNDT. Mr. Carr said that?

Secretary Stevens. It was very strongly indicated by Mr. Cohn-Senator Munder. I know that from your testimony, but what did Mr. Carr say?

Secretary Stevens. Mr. Carr did not disassociate himself from that statement in any way and I considered that he was going equally with

Mr. Cohn in that statement.

Senator Munder. The Chair's understanding is that the extent of the threat in which he participated was to say nothing to stop Mr.

Cohn from saying whatever he said.

Secretary Stevens. I won't say he said nothing, but I will say that his activity—once again I think I used the word "passive" yesterday. It was not-

Senator Mundt. Did he say anything, Mr. Secretary?

Secretary Stevens. I think he did.

Senator Mundt. Do you have any idea what it was he said?

Secretary Stevens. I couldn't recall the words, no, sir.

Senator Mundt. But you are quite sure that what he said was in a

threatening vein, because that is what you accuse him of?

Secretary Stevens. As I say, Roy Cohn indicated that the hearings would shortly be started up again, and it seemed to me that Mr. Carr was completely in accord with that same philosophy. He certainly did not disassociate himself from it.

Senator Mundt. That I understand. You can't recall whether he said anything actively or not?

Secretary Stevens. No, sir. Senator Mundt. Very good.

The Chair would like to have this understanding from you about Mr. Schine, Private Schine, if it is correct. His name has been bandied about in this committee room a great deal. You have referred to him. I great we all have

ferred to him. I guess we all have.

Does the Chair understand that he is in a position and relationship now with the Army so that if he requests permission to be in the room with his counsel at any or all times during the hearings, he

Secretary Stevens. Yes, sir.

would have that right?

Senator Jackson. A point of order, Mr. Chairman.

Would it be in order for the chairman of this committee through its counsel to so advise Mr. Schine, Private Schine, at this time, of the

statement made by the Chair previously?

Senator Mundr. Thank you very much. The Chair was about to suggest that. It seems to me in the interest of equity as far as Private Schine is concerned, he should be advised of that right, because obviously being in the Army he is more or less under the control of some commanding officer and he should know that if he desires to be here with counsel, he has that right. Will you undertake to advise him or should we have counsel do that?

Senator Jackson. Mr. Chairman, I move that you be authorized to so advise Private Schine of his right to be here with counsel if he so

desires.

Senator Mundr. At any time during these hearings.

Senator Jackson. I don't know whether it takes a motion or not.

Senator Mund. I don't know whether it would be considered that once again he is being given preferential treatment. I think it would be fair to him.

Secretary Stevens. I would like to concur with you whole-heartedly, Mr. Chairman. I think Private Schine is thoroughly entitled to attend these hearings with counsel if he cares to, and I think, as you say, his name has been used by many people here, including myself.

It is only fair that he should be made available and the Army will

cooperate in that completely.

Senator Mundt. Will you ask one of your aides to call his commanding officer to deliver that message to Mr. Schine today?

Secretary Stevens. I will. Senator Mundt. Thank you.

Senator Mundr. The Chair is about to ask questions which he believes may be subject to a point of order, and may be out of order, and I would like to have you rule on the Chair's suggestion.

I have in mind one or two questions I would like to ask the Secretary about the lineup in the photograph which has been presented to us. Does the Chair understand that when we get into the matter of the photograph, Mr. Stevens will again be a witness so that I can ask more appropriately at that time, or do you think that I should ask him these questions now?

Mr. Jenkins. I think it is entirely proper to cross or re-cross-examine the Secretary with respect to the photograph at this time.

Senator Mund. I do not propose to go into any of the discussion as to whether or not names and people were left out. I am simply trying to get from the Secretary now, to the best of his recollection, the occasion and the circumstances under which the picture—let us use the big picture, that Mr. Welch has defined as the big picture, for the purposes of this question.

To the best of your recollection, Mr. Secretary, was that photograph taken at the time your party arrived at Fort Dix, or at the time you

were leaving Fort Dix

Secretary Stevens. Well, I was only at Fort Dix about 7 or 8 minutes, and so I would say it was on arrival.

Senator Mundt. On arrival? Secretary Stevens. Yes.

Senator Mundt. Can you tell the committee how it happened that Private Schine was at the airport when the plane bringing you and the McCarthy party to Fort Dix landed?

Secretary Stevens. I can. I have to go back a little bit, and if you

want to, I would be glad to do it.

Senator Mundt. I am just trying to reconstruct the circumstances of the picture.

Secretary Stevens. All right, sir.

If you will recall, there was a luncheon at the Merchants Club at my invitation that day, the 17th of November. During the course of that luncheon, or shortly thereafter, Roy Cohn said that he was going down to see Schine before going on to Boston where the committee had business the next day. Senator McCarthy indicated that he wanted to see Schine. I gained the impression that they were going to drive down there, and maybe I am wrong about that, but I do know that the Schine Cadillac car was outside of the club when we came out, and that when we started for the sirport I remember this detail, that Senator McCarthy actually drove the car himself, Mr. Schine's car.

Now, before we left the club, having learned that Senator McCarthy and Cohn wanted to see Schine, I had my aid, Colonel Cleary, call down to a member of the staff at Fort Dix, advising the commanding general that I was going to stop there on my way back to Washington, in order to make it possible for Senator McCarthy and his party to

get down there quickly.

Now, I was personally in a great rush. There was a great inconvenience to me to have to go to Fort Dix, because I had a very important engagement here in Washington that evening, which was a dinner engagement with the Secretary of the Treasury Humphrey and Mrs. Humphrey, and I wanted to get back here as fast as I could. Nevertheless, in order to expedite the trip to Fort Dix and to cooperate with the Senator and his party, we took the plane and flew down there to Fort Dix.

As soon as I got there, I got off the plane and these pictures were taken, and I was in a rush to get on the other little plane, the C-45, which would carry me to Washington, and, I hoped, in time to make my engagement with the Secretary of the Treasury.

I finally did get there, although I was late in doing so.

Senator Mund. So that the appearance of Private Schine at the landing strip when you arrived undoubtedly grew out of the fact that you had had an aide phone down there and say, "We are going to be there a short time, and the people in my party," or you, yourself, or both, "want to see Private Schine."

Secretary Stevens. That is right, my aide can testify that he undoubtedly alerted the member of the staff to in turn alert Schine.

Senator Munder. Then that is not particularly important, but I am trying to find out because I think that you testified that to the best of your recollection, you had never requested that your picture be taken with Private Schine, either alone or in the company of Colonel Bradley or Mr. Adams or anybody else. That is the best of your recollection?

Secretary Stevens. To the best of my recollection, that is true. As I said, when Mr. Jenkins first faced me with the picture, it was possible that on occasions if a picture was going to be taken, I would say to people around, "Well, come on, and let us all get in the picture," and I have done that on many occasions, and I am sure we all have.

Senator Mundr. I am sure that that is right, and I see nothing im-

proper about it. I am trying to get the facts before us.

Secretary Stevens. Yes.

Senator Mund. Is it to the best of your recollection that on this occasion that is probably what happened, that you arrived there, disembarked from the plane, and saw Mr. Schine and Colonel Bradley, and saw the photographers, and said, "Come, let us gather around and have our picture taken"?

Secretary Stevens. I don't honestly want to say anything—I know I am in the picture, but whether I said anything or not, I can't recall.

Senator Mund. In other words, it seems to the chairman one of two things must have happened: either you might well have done that, which sounds perfectly reasonable, or else Private Schine must have muscled his way in somehow to squeeze himself in between the Secretary of the Army and the commanding officer, Colonel Bradley, which would seem less reasonable—but one of those two things, it seems to me, must have happened, and I am trying to find out from the best of your recollection whether you think Private Schine wedged himself in there of his own initiative, or whether he was invited by you to stand in the lineup.

Secretary STEVENS. I don't know, and I don't have any recollection on that, and I know there was a flash of a few bulbs. I think probably Senator McCarthy was in one of the pictures, and I don't know. And Mrs. McCarthy was there, and I don't know whether she was in any or not. And there were several flashes, I don't know how many, and all of that, if it hasn't already been developed for you and

for the committee.

Senator Munder. I am not going into this authenticity of any of the pictures. I am simply trying to determine for the record how the lineup was arrived at.

Secretary Stevens. I just don't recall how the lineup—

Senator Mundt. Did you recall that you descended from the plane where Mr. Schine was at the time?

Secretary Stevens. I recall descending from the plane, and one of the first things that I recall after getting off the plane was not either the photographers or Schine or anybody else, and that was that I recognized that it was a C-45 plane, which was a small plane, that there would not be room for Senator McCarthy's party and the baggage, all of the baggage that they had with them, in order to go to Boston from Fort Dix. So my mind was working more or less on the business of the occasion, and that was, I then went to give instructions that the baggage be not removed from the C-47 plane on which we had flown to Dix, but be kept aboard, and that Senator McCarthy would take that plane and I would take the C-45. And forthwith, almost, because I think if there is a record, it will show that I wasn't on the ground more than, well, I will say I was not out of one plane and into the other—I was technically on the ground a little more, but 10 minutes at the very outside.

Senator Mundt. My time has expired, and so, Senator McClellan. Senator McClellan. Mr. Chairman, in the interest of contributing to the expedition of this hearing and concluding with this witness,

I pass.

Senator Mundt. Senator Jackson, do you have a question?

Senator Jackson. Just two questions.

On page 647 of the hearings of yesterday, Senator Dworshak asked Mr. Cohn a question, and I quote:

Senator Dworshak. Mr. Cohn, who arranged the plane trip on November 7 to Fort Dix?

Mr. Cohn. It was arranged on the insistence of Secretary Stevens. He wanted to go down to Fort Dix and say "hello" to Dave Schine with us.

Is that statement true or false?

Secretary Stevens. That statement certainly conveys a very, very false impression. It is true that when I got there I spoke to Dave Schine, but I had no more idea of going to Fort Dix that morning and seeing Dave Schine or anybody else than the man in the moon. The trip was arranged because Mr. Cohn was going to go there anyhow, and Senator McCarthy wanted to go, and I tried to add to their convenience in getting there.

Senator Jackson. Would you have stopped at Fort Dix if Mr. Cohn had not wanted to stop there, or would you have gone straight to

Washington, D. C.?

Secretary Stevens. Straight to Washington, D. C., period.

Senator Jackson. Mr. Chairman, that is all the questions, except this: I do reserve the right to cross-examine Secretary Stevens after the testimony is in in connection with the pictures and if the transcripts are submitted for the record. I assume that is a proper reservation.

Senator Mund. I presume that any witness that any member of the committee desires to have recalled, he will have recalled; is that correct?

Mr. Jenkins. That is correct.

Senator Jackson. I have no further questions.

Senator McCarthy. Mr. Chairman, I asked the Chair—and I think I suggested to Senator McClellan—so there would be no dispute about the day the hearings were started, that we submit to the Chair the first hearings from our executive sessions. I don't think the Chair will want to make the hearings part of the record, but the Chair or counsel may want to glance through these hearings and determine the

date that the hearings on infiltration of Communists in the military,

the Army, began.

Senator Mundt. Senator McClellan advised the Chair this morning that he thought the insertion of the date would be proper; is that

Senator McClellan. Mr. Chairman, the date can be substantiated by any record. For any date involved in this controversy, I think reference to the document, if it is official and establishes the date, is proper. If this is the official transcript of the meeting, by reference to that date it can be stipulated in the record the date the hearings

Senator Mundt. Will the Senator examine with counsel and me

whether this is the transcript of the hearing?

Senator McCarthy. So there will be no misunderstanding, will counsel point out that the first witness was a witness from the Signal Corps, and the radar installations are a part of the Signal Corps.

Senator McClellan. Before we introduce this record or any part of it, Mr. Chairman, I should like to have an opportunity to examine it. I am not prepared to glance at a record and say I am ready to admit it.

Senator McCarthy. No. 1, the record of August 31; No. 2, the record of September 1; No. 3, the record of September 2; and No. 4, the record of September 3. I hope that the material will not be made

public because of the classified testimony contained.

Senator Mund. The Chair understands the material is not to be introduced into the record, but the ranking Democratic member will examine this during the course of the evening and advise us tomorrow whether they are in fact a transcript of the hearings; and if so, the dates will be inserted. Is that right?

Senator McClellan. That is right. Senator McCarthy. That is my only copy, Mr. Chairman, and I

would like to have them back.

Mr. Welch. May I make an inquiry, sir? I am a little impressed always with records of executive sessions. I look on them as pretty important and secret documents. Will it follow from what the Senator has just done that counsel sitting at this table may examine this record?

Senator McClellan. That is perfectly proper. Senator Mundt. As far as the dates are concerned.

Mr. Welch. I am informed it is not a record of the Fort Monmouth

hearing. I don't understand it is presented as such.

Senator McCarthy. It is a record of the investigation of Communist infiltration in the Signal Corps, and that all has to do with Fort Monmouth. That is the seat of the Signal Corps operations, as far as I know.

Senator Jackson. A point of order.

Senator Mundt. You may examine the hearings, Mr. Welch, to the extent of determining the dates and their authenticity.

Mr. Welch. Only that?

Senator Mundt. They are executive hearings, and I don't know that we can make all the contents available to you. They are not going to be made a part of this record.

Senator McClellan. Mr. Chairman, if anyone objects to this proceeding, that any part of this record, either by reference to date or otherwise, be stipulated as a part of the testimony, then it is proper and right, and the only way they can be presented is by someone to take an oath and testify to the record, and that it does show that date. We are trying to expedite it only.

Mr. Welch. Mr. Chairman, no lawyer in his senses can admit 3 or 4 volumes of testimony without the slightest chance to examine it or know what is in it. I am therefore forced at this point to object

to the admission of these transcripts.

Senator Munder. I do not believe the request, Mr. Welch, is to introduce the volumes of testimony. The Chair understands that it is simply a question of introducing the dates at which the hearings in the investigation of Fort Monmouth began.

Mr. Welch. I do not understand that the hearings at Fort Monmouth began prior to October 8. That is why I remain so puzzled

at what is now being covered.

Senator McCarthy. Mr. Chairman, may I suggest that in view of the fact that we have made available, as far as I know, to the Army all executive sessions, I would suggest that Mr. Welch, having been selected as the attorney for Mr. Stevens, be allowed to examine the records. I am sure that they have already seen them. I think he should be able to look at them.

Senator Mundt. Very well. With that understanding, Mr. Welch,

you may have a full right to examine the hearings.

Mr. Welch. May I suggest, if you please, sir, that they be not received in evidence until someone on my staff can look at them.

Senator Mundr. They are not being received at this time. They are

being received on ice to examine them.

Senator McClellan. A point of order, Mr. Chairman. It is quite proper that after Mr. Welch examines them, if he desires to do so, he may object to their introduction upon any valid ground.

Mr. Welch. Thank you, Senator.

Senator Munds. Let me see. Is it agreeable with the members of the subcommittee if the Chair now calls on Senator Dirksen out of order? He was detained on the floor.

Without objection, Senator Dirksen is next.

Senator Dirksen. Mr. Chairman, may I say for the benefit of the committee that there is likely to be a record vote on the International Sugar Treaty and on a reservation that I offered and that is suggested only for the attention of the committee and should come along about 4:30.

Mr. Chairman, I think from time to time members have to reexamine their own concept of our function here. Here is a controversy, and I shall not quibble about terminology as to who is involved. But I do esteem my own responsibility to be that of one on a kind of board or committee of inquiry to elicit and evaluate all of the facts that are involved so that ultimately the questions that are before the committee can be resolved.

I have observed both in the mail and in the press that there is a tendency to believe that perhaps one ought to adopt a rather belligerent attitude. I thought I was clothed here with some quasi-judicial responsibility and I intend to pursue it just as impartially and just as

fairly as I know how.

With that in mind, Mr. Secretary, I want to return to one basic question, and in fortification of that I will ask 4 or 5 other questions.

The first date in your specification with respect to the allegation as to whether or not improper influence was exerted in behalf of Private Schine goes back to the 8th day of July, and I think concerns itself with General Reber; is that correct?

Secretary Stevens. Yes, sir.

Senator Dirksen. Then the last specification or the last date of any specification runs down to February 16. So for practical purposes there is a period of about 7 months from the time it was first alleged that improper influence was being exercised down to February 16.

Seven months, it seems to me, is a rather long period. You, however, didn't come into this picture until the 2d of October, because I think you are first recited in specification No. 4. That would be a

period of about 5 months, from October to February 16.

The question that occurs to me is this: Why did this run so long before some protest was made that undue influence was being exercised

and if so, to whom would the protest be made?

It would occur to me that if I were an aggrieved party in a controversy—and I say it in no spirit of reflection at all—it seems to me it wouldn't require me to take 7 months or 5 months to determine on a course of action and to protest if I felt that undue influence was exercised. Here, however, is an accumulation that starts on the 8th of July 1953 and goes down to the 16th of February 1954.

Was there some reason that no protest was made to some source at least, either to your superior or to other members of the committee

or to somebody else in authority?

Secretary Stevens. I would say, Senator, that there was almost daily contact on the part of my office with the committee since John Adams took over the liaison of the thing. There were things occurring which have been outlined in this testimony starting back about

the time you indicate.

One thing would happen, and then another thing would happen. Now, when one looks back on it, the pattern in the light of hindsight is a great deal more clear than it was at the time we were going through it, because one of the basic things involved here, of course, is did or did not Private Schine receive special or preferential treatment while he was at Fort Dix? He didn't get to Fort Dix until the 10th day of November and the information with respect to what transpired there during his stay at Fort Dix, of course, didn't become available until a still later date.

I think your question is an excellent one. I personally have always operated in business and in this job on the basis of trying to cooperate and work things out. This happened to be one of those things that, in the light of hindsight, might have been handled some other way. But the way it developed, it headed up at the time of Senator Potter's

letter.

Senator Dirksen. Mr. Secretary, starting with the very first allegation or first specification in the allegations that are before us, that were filed with the committee on the 13th of April, it says on or about July 8 a certain action was taken. Then when you get to No. 2, it says throughout the period July 15 to July 30 various members of the staff of the subcommittee dealt with this question of a direct commission. Then No. 3, on or about August 1, 1953; and specification 4, on or about October 2. So, we go on down.

As a reasonable and prudent person—and I hope that I may qualify under that appellation—it would occur to me if this had happened to me for a period of 60 days, I think I would have registered a protest somewhere either formally or informally to other members of the committee, to the full committee, to your chief who would have been the Chief of the Defense Establishment. But this accumulation goes on for 7 months from the time General Reber's name is first mentioned and it runs on for nearly 5 months from the time you were first mentioned in specification No. 4. That seems like an undue time lag if undue influence was really exercised and certainly there should have been a remonstrance long before the 16th of February or thereabouts.

The other question is that, before my time runs out: The date of the last allegation here is February 16. On the 18th of February, as I recall—and of course, I would have to refresh myself by whatever date I have here—you had the hearing in New York, as I recall, on the

Peress case.

Secretary Stevens. On the Zwicker case.

Senator Dirksen. On the Zwicker case; that is correct. And I was

not present on that occasion.

But you see, your last allegation is dated here February 16. The Zwicker case was heard on February 18. So you waited until there was some kind of a spark before finally a protest was made in the form of the allegations that were sent in response to the letter from Senator Potter.

It does seem to me, Mr. Secretary, that that is an unduly long time to let a condition like that run without at least making your feelings

manifest to some source of authority at least.

I don't argue for a moment who it should be, but speaking only for myself and commiting no one else, I think if it had happened to me under similar circumstances I would have registered some kind of remonstrance somewhere long before the elapse of that rather lengthy period.

Secretary Stevens. Well, Senator Dirksen, I was trying to work this thing out as we went along with Senator McCarthy and the staff. That was my desire, and I didn't want to have a flareup or anything

else.

And I believe that I know how to get along with people. I like people. I wanted to do this job. I wasn't carrying around on my shoulder, let us say, in December something that might have happened

in October.

This thing became accumulative and it finally became a pattern. And the reason now that we can sit here and look back over a period of 5 or 7 months, whatever it is, is because we had to get together all of the information and facts bearing on this case in order to submit it to you gentlemen. That in the light of hindsight makes it a very different looking thing than what it was when you were going through it on a day-to-day and week-to-week basis.

Far be it from me to suggest, sir, that somebody else couldn't have handled it better. I have no illusions about my ability to do something better than the next fellow. And I think somebody probably

could have.

This happened to be the way I handled it. And I assure you that what I have done all of the way along has been what I believed to be

right and in the interest of the American people.

Senator DIRKSEN. Mr. Secretary, I don't think that there is the slightest doubt about the honorable attributes of your actions. But when you speak for instance about undue influence in the law it would be regarded, I suppose, as a species of duress.

Now I can imagine cases where duress continues for a long period of time or a short period, but, actually, however, here is a period of 7 months while this matter continued first from one side and then another. And it seems to me that it develops a real weakness here that some remonstrance wasn't made before the end of that period.

Senator Mundt. The Senator's time has expired. And I will inquire of Senator Symington whether he would object if the Chair would next call on Senator Potter so we can get back into the regular swing of things.

Senator Symington. I would be very glad to have Senator Potter

Senator Potter. Now, Mr. Chairman, and Mr. Secretary, I think it is well at this time to get the so-called now famous Potter letter

back in perspective.

As I stated the other day, there were many requests made of me, and possibly of other members of this committee, concerning information that had been published, some in the form of newspaper articles and some in the form of articles that appeared in other publications, that there was a report in possession of the Army which had been promised to certain Members of the Congress. I will be very frank with you, Mr. Secretary, I felt that the charges, the alleged charges, were serious. As I understood the charges, they were that this committee had used the investigating arm of the Congress in an effort to secure special treatment for a former employee of the staff.

I felt it would be a great injustice for this report, that was alleged to have already been prepared, to get in the hands of persons who were not friendly to the committee—and I don't say that in a partisan manner, but I say that from a philosophy of government standpoint before the members of the committee had a chance to see the report.

Therefore, I wrote this letter on March 8 to the Secretary of Defense, Mr. Wilson, which I will now quote:

I have received many inquiries concerning external pressure for preferential treatment on behalf of Pvt. G. David Schine, a former member of the staff of the Senate Permanent Subcommittee on Investigations, and now a member of the Armed Forces. Fragmentary information which has reached me has been most disturbing. I request the following information as a member of the abovenamed subcommittee:

First, has Private Schine received any preferential treatment whatsoever

since becoming a member of the Armed Forces?

Second, has any effort whatsoever been made by any source affiliated with the above-named subcommittee to exert pressure for the purpose of gaining preferential treatment for Private Schine?

Third, if such intercession has been made, please advise me fully of the source, type, and date of such efforts. If there is no information, or if there is no foundation for the information coming to my attention, it is no more than proper and fair that Private Schine as well as the subcommittee be so informed.

In the event there is substance to the charges, however, the committee should have in its possession all of the facts upon which we may base immediate action.

In return I received a statement containing charges, allegations which are now the basis for your position and this present controversy.

I was most interested in securing this information in an effort to avoid the very thing that is happening now. I hoped we could resolve any difference that might exist without becoming a public spectacle.

I discussed it with my colleagues of the committee majority and, unfortunately, we were unable to resolve any differences that might

have existed.

Thereafter the report became public through other sources, which resulted in the many buildups which we have today, taking the time of the military and of the Senate, in resolving something that a month ago, I am confident, could have been resolved in a 1-day hearing.

That is all I have to say.

Senator Mundt. Senator Symington.

Senator Symington. Mr. Chairman, I was going to pass in the interest of expediting this hearing. But one of the questions, or one of my distinguished colleagues asked a question that impressed me a bit, and I would like to pursue it, if I may, for a moment.

Mr. Secretary, who is your superior? Secretary Stevens. Mr. Wilson.

Senator Symington. You run a military department in the chain of command, as a civilian chief, is that correct?

Secretary Stevens. That is correct.

Senator Symington. And you are part of the executive department of the Army of defense?

Secretary Stevens. I am; yes, sir.

Senator Symington. As I understand your testimony, you were worried about this matter, and you were trying to work it out?

Secretary Stevens. That is right.

Senator Symington. Roughly, when did you speak to your superior about it?

Secretary Stevens. Well, I think right at the start. I spoke to Mr. Wilson, and told him that Senator McCarthy's committee had this problem in the First Army area and I was going to work along with him and try to handle the situation.

Senator Symington. What was his advice to you?

Secretary Stevens. His advice was to go ahead and handle it.

Senator Symington. The best way you thought, the way you thought best.

Secretary Stevens. Yes, sir.

Senator Symington. Who does Mr. Wilson report to?

Secretary Stevens. The President.

Senator Symington. Mr. Wilson's advice to you was to go ahead and handle it the way you thought best?
Secretary Stevens. That is right.

Senator Symington. And that is what you have done?

Secretary Stevens. That is what I have done, sir.

Senator Symington. I have no further questions, Mr. Chairman.

Senator Mundt. Senator Dworshak?

Senator Dworshak. Briefly, Mr. Secretary, do you recall whether any time since last July any member of this subcommittee, with the exception of the chairman, ever consulted with you or conferred with you in any way, or a member of your staff, to acquaint you with the fact that Mr. Schine possessed special qualifications which might enable him to secure a commission?

Secretary Stevens. No, sir; no member.

Senator Dworshak. Did you at any time ever confer with any member of the subcommittee, other than the chairman, to discuss any of the issues relating to the special qualifications which allegedly David Schine possesses?

Secretary Stevens. No. sir.

Senator Dworshak. For service in the Army? Secretary Stevens. No, Senator Dworshak.

Senator Dworshak. Thank you. Senator Mundt. Mr. Welch? Mr. Welch. Nothing from me.

Senator McCarthy. Mr. Stevens, this morning I asked you to have your counsel prepare a list of the military men who are here in the room, and upon whose orders they are here. Has that been prepared?

Secretary Stevens. Yes, sir.

Senator McCarthy. May I make it very clear that this is no reflection at all upon the military men who are here, some of them I don't know and some of them I do know, and I know they have outstanding combat records, and I think are outstanding individuals. But the reason I asked you for this list is because I am curious to know why we have so many competent generals sitting here warming their heels listening to this testimony of how a private got promoted as I have said so often before successively and repeatedly until he is finally up to be a private.

Now, let me ask you this question in connection with the list which you are going to submit. Do you feel that all of the officers who are

here are necessary to this hearing?

Secretary Stevens. I do, Senator. The arrangement that I have is that I expect those members of my staff who may be necessary in connection with getting all of the facts out on the table on any phase

of this investigation should be here with me.

Senator McCarthy. Let me ask you this: Mr. Hensel has been accused of personal, let us put it this way, irregularities, not as a representative of the military, but while he was purchasing agent for the Naval Department, and do you feel it is proper to supply Mr. Hensel with apparently very competent Army personnel to sit here at his elbow, or do you think—will you let me finish——

Mr. Hensel. Mr. Chairman, I am objecting to the question.

Senator McCarthy. May I finish the question? Senator Mundt. Mr. Hensel has a point of order.

Mr. Hensel. I think Senator McCarthy is trying to testify and should be stopped.

Senator McCarthy. I would like to finish the question.

Mr. Hensel. It is not a question.

Senator McCarthy. I will finish the question. Senator Mund. Proceed with the question.

Mr. Hensel. I just want you to stop testifying; put it in the form of a question.

Senator McCarthy. What is the last two words of my question? Senator Mund. The reporter will read the last question.

(Whereupon, the question referred to was read by the reporter, as above recorded.)

Senator McCarthy. Or do you think that Mr. Hensel should be required to hire his own legal counsel and before you answer that, Mr. Stevens, let me make it clear that—strike that. End of question.

Mr. Hensel. May I comment on that?

Senator Mundt. No comment. You may make a point of order,

if you have one.

Mr. Hensel. It already appears in the record that I have employed my own counsel, and Senator McCarthy was here and heard that statement made; and the implication that these men are here to assist me is not a proper one, and is in my opinion an effort of Senator McCarthy to testify as he has continuously tried to do.

I object to that.

Mr. Jenkins. Mr. Chairman, that is a question. That is a question and it is a relevant question in my opinion, and it is proper for the purpose of eliciting from this witness his interest or lack of interest, and his prejudice, bias, or otherwise, and it is my opinion and advice to the committee that the question should be answered.

Senator Mundr. On advice of counsel, the point of order is over-

ruled and the Secretary will respond to the question.

Secretary Stevens. In view of the interruptions here—

Senator Mundt. Do you want the question reread? You would like to have the question reread?

Secretary Stevens. If I may, sir.

Senator Mundt. Time out while it is being reread.

(Whereupon, the question referred to was read by the reporter as above recorded.)

Senator McCarthy. Mr. Welch, could I ask you this.

(The question was read by the reporter.)

Mr. Jenkins. Mr. Chairman, after hearing the question reread, it is my opinion that the question presupposes the existence of the fact that there are certain Army personnel sitting at the side of Mr. Hensel advising him, and in view of the connotation of that question I reverse myself and hold that the question as it has been asked is improper, but the Senator, of course, would have the right to first ask as a predicate to his question now under consideration whether or not there are certain members of the Army—

Senator McCarthy. I think your point is well taken. I think

you are absolutely right.

Senator Munder. On the advice of counsel, the Chair will reverse himself and sustain Mr. Hensel's point of order and advise the Senator from Wisconsin to proceed.

Senator McCarthy. I think Mr. Jenkins' point is well taken.

Senator Mundt. Time is back in again.

Senator McCarthy. Mr. Stevens, there are 3 Army officers, a general, 2 full colonels, 1 sitting beside Mr. Hensel. [Laughter.] I beg your pardon—2 lieutenant colonels and 1 2-star general sitting here, 1 behind Mr. Hensel, 2 to his left.

Question: Are they here to aid and assist Mr. Hensel?

Secretary Stevens. They are here to represent the Department of the Army with me.

Senator McCarthy. Are they here for the purpose of helping Mr.

Hensel?

Secretary Stevens. They are here for the purpose of helping me if I need to call upon them.

Senator McCarthy. Question: Are they here also for the purpose of helping Mr. Hensel?

Secretary Stevens. No. Mr. Hensel has already testified that he

has his own counsel.

Senator McCarthy. Then may I suggest—could I have the names of these two colonels? May I have the names of the colonels?
Secretary Stevens. Lieutenant Colonel Wood is the lieutenant

colonel seated next to Mr. Hensel; General Caffey is on his left; and

Colonel Murray is sitting in the second row.

Senator McCarthy. Mr. Chairman, I want to make a point which may seem relatively unimportant, but we have been shifting seating arrangements around here so often. The understanding is that Mr. Hensel as a party in dispute may sit here with his counsel at the table. If these young men are not here—I beg your pardon—if the officers are not here to aid Mr. Hensel and they are here to aid Mr. Stevens, I think they should move back of Mr. Stevens. I don't like to have men with combat records—and I can see they have outstanding combat records, apparently, from the ribbons they wear—I don't like to have them sitting here and lending dignity to Mr. Hensel by sitting at his left.

Mr. HENSEL. Mr. Chairman.

Senator McCarthy His lawyers can sit here with him.

Mr. Hensel. Mr. Chairman.

Senator Mundr. Do you have a point of order?

Mr. Hensel. I think that remark was uncalled for, and Senator McCarthy ought to be asked to apologize for that. [Applause.] I

am serious, sir.

Senator Mundt. May the Chair remind the audience for a final time; just a minute, Mr. Hensel. May the Chair remind the audience for the final time that you are here as the guests of the committee. There are to be no manifestations of approval or disapproval. I ask that that rule be definitely enforced.

You have raised a point of order?

Mr. Hensel. I am quite serious about the request for an apology, Mr. Chairman. I do not think that remark of Senator McCarthy about my dignity was called for. I think I have plenty of dignity and deserve all that I have.

Senator Mundr. Your statement will be incorporated in the record, but the Chair has no power to enforce an apology on the part of any of

the participants in this dispute.

Mr. Hensel. You could request one, sir.

Senator McCarthy. Not on my time, I assume.

Mr. Welch. Mr. Chairman.

Senator Mundt. Mr. Welch, do you have a point of order?

Mr. Welch. I am anxious that we could finish with this witness tonight. You know it is repulsive to me to run overtime, but tonight I am willing and glad to. I hate to take these precious moments discussing seating arrangements. That seems to me child's play.

Senator MUNDT. Is this a point of order?

Mr. Welch. May we go on with the hearing, sir? Senator Mundr. Very well, sir. Senator McCarthy, you will pro-

ceed with the questioning.

Senator McCarthy. Mr. Stevens, who ordered the two colonels and the general to sit here beside Hensel?

Mr. Welch. Could we go on with the hearing as I suggested? I happen to know that Colonel Murray is there because I asked to have him there. He helps me—

Senator McCarthy. Mr. Chairman, I don't want this——Senator Mundt. The attention of the Chair was diverted.

Senator McCarthy. I don't want this young man testifying unless he is under oath. So that the reporter will have my statement, it was: I don't want this young man testifying unless he is under oath.

Mr. Stevens, did you order the two colonels and the general to sit

here beside Mr. Hensel?

Secretary Stevens. My arrangement, Senator McCarthy, is that members of my staff necessary to appear here for the Army with me will come here; and as far as where they sit, I don't care where they sit as long as they are available to me.

Senator MUNDT. The Chair rules that it is perfectly appropriate for counsel for the Army side of this controversy to be seated at the end of the table, and they alternate every day, I believe, with the

members of the McCarthy group.

Senator McCarthy. Mr. Chairman, we just had sworn testimony that the general and the two colonels are not counsel for Mr. Hensel,

are not representing him. Where is his counsel?

Senator Mundr. They may be representing Mr. Stevens, and he has a right to have them seated at that end of the table if they represent Mr. Stevens.

May the Chair inquire, are they representing you?

Secretary Stevens. Yes.

Senator Mundt. Then they have a right to sit where they are sitting.

Senator McCarthy, you may proceed.

Senator McCarthy. Let me read the list given me:

1. Maj. Gen. E. M. Caffey. Assignment: Judge Advocate General

of the Army. Reason for attendance: Legal advisor.

2. Maj. Gen. Miles Reber. Assignment: Commanding General, Western Area Command, Kaiserslautern, Germany. Reason for attendance: Witness.

3. Maj. Gen. R. N. Young. Assignment: Assistant Chief of Staff, G-1, Personnel. Reason for attendance: Advisor to the Army wit-

nesses on personnel matters.

4. Col. Paul L. Doerr. Assignment: Office of the Chief of Legislative Liaison. Reason for attendance: Performance of liaison duties.

5. Col. Kenneth E. BeLieu. Assignment: Executive to the Secretary of the Army. Reason for attendance: Assist the Secretary of

the Army.

6. Lt. Col. Jean L. Wood. Assignment: Military assistant to the Secretary of the Army. Reason for attendance: Assist the Secretary of the Army.

7. Lt. Col. John F. T. Murray. Assignment: Office of the Judge

Advocate General. Reason for attendance: Legal assistant.

8. Maj. G. A. Ivan. Assignment: Office of the Judge Advocate Gen-

eral. Reason for attendance: Legal assistant.

9. Corp. James R. Franklin. Assignment: Messenger, Office, Chief of Staff. Reason for attendance: Messenger.

Mr. Secretary, General Ridgway, the Chief of Staff, has been here for some time, as has Lieutenant General Lemnitzer, Deputy Chief of Staff; also Maj. Gen. George Back, Deputy Chief of Staff.

Is it your feeling that all of those officers are necessary to prepare

your case in regard to Private Schine?

Senator Symington. A point of order, Mr. Chairman.

Senator Mundt. The Senator will state it.

Senator Symington. If the occasion is that those people are in the room, then I think that they should be identified and if they are not in the room but available to be in the room at the request of the Secretary of the Army, I think that the matter ought to be made clear now.

Senator McCarthy. If this is on my time-

Senator MUNDT. It is my understanding that the Secretary provided a list of those in the room, am I incorrect about that?

Secretary Stevens. What was that?

Senator Mundt. Wasn't the list the Senator was reading from a list prepared by you?

Secretary Stevens. He just read off the name of General Ridgway

and General Back and for example they are not here.

Senator Mund. Who is not here?

Secretary Stevens. General Lemnitzer is not here.

Senator Mundt. Are they on your list?

Secretary Stevens. No, they were not on the list.

Senator McCarthy. Will the reporter read exactly what I said? just got through saying they were here previously, so there is no

question about what I said.

Mr. Jenkins. May I make an observation that will expedite this matter? As I understand it, Senator McCarthy has just read a list of those present, Mr. Secretary, representing Army personnel, which list you have furnished him. It is my understanding that he asked you a simple question, to wit, whether or not General Ridgway and some other people-

Senator McCarthy. General Lemnitzer and General Back.

Mr. Jenkins. Had been here previously to today or to this time. Now, it will expedite the matter if you will simply answer that

Secretary Stevens. They have been here previously.

Mr. Jenkins. The question has been asked and answered.

Senator McCarthy. Do you feel that all of these officers were necessary to help you prepare the case involving Private Schine?

Secretary Stevens. If I didn't think so, they would not be here.

Senator McCarthy. You think they are all necessary?

Secretary Stevens. Yes, sir.

Senator McCarthy. If you think so, you are certainly entitled to

have them here.

Now, General, is it true that on or about November 24, 1953, you called General Back to your office, that at that time you indicated you were very much disturbed over the fact that General Lawton, the commanding general at Fort Monmouth, had made a statement paying tribute to the investigation, and also indicating the various institutions which the Communist-liners he had to suspend received their education, and that you ask Back to give you a report on that, and get an explanation from Lawton?

Mr. Welch. Mr. Chairman, I object to the question. The question

is far too long and I can't understand it.

Senator MUNDT. Will the Senator endeavor to break his questions down into shorter phrases so the witness may know exactly what he is answering.

Senator McCarthy. I think the question is not whether Mr. Welch understands but whether or not Mr. Stevens does. You understand

the question, Bob?

Secretary Stevens. It is too long for me, Senator, and it should be

either reread or broken down.

Senator McCarthy. I will break it down, and maybe your objection is well taken. Did you call General Back to your office, on or about November 24, 1953, in regard to General Lawton, the commanding officer at the radar installations, at Fort Monmouth?

Secretary STEVENS. I did.

Senator McCarthy. You did, and at that time were you considerably disturbed about a report that General Lawton had complimented the committee?

Secretary Stevens. No, I wasn't disturbed about that.

Senator McCarthy. At that time were you considering relieving General Lawton of his command?

Secretary Stevens. As I testified before, the matter was receiving

at that time some consideration.

Senator McCarthy. Now, Mr. Secretary, let me say this for your protection: General Back has made a statement and I don't consider him a committee witness at all, and I think he is loyal to you, and I know that your memory may be bad, and you have testified here day after day under pressure and it is very difficult. As you know, I have had no personal animosity toward you, and I think—

Senator Mundr. The Senator's time has expired.

May the Chair inquire from the members of the committee what their pleasure is? It is approximately 4:30 and do you want to start another round or do you want to recess?

Senator Jackson. I understand there is going to be a vote and so

I would suggest that we recess.

Senator McCarthy. Mr. Chairman—

Senator Mundt. Pardon me, the Chair is trying to find out from the members of the committee whether they prefer to recess or to continue.

Senator Potter. Mr. Chairman, I would suggest we find out from Senator McCarthy how much longer his interrogations will take, and if they will take some time, we will adjourn over and if not we will finish up tonight.

Senator Mundt. Does the Senator have any idea how much longer

he desires to interrogate the witness?

Senator McCarthy. Mr. Chairman, I have no way of knowing that, because I don't know how long it will take to elicit facts from the witness, and may I say this: That while I am not a member of the committee, being chairman of the parent committee, I have a deep interest in the question which is assigned to our committee, which is efficiency and waste of money, and I think the longer we carry this on the greater the waste and I think we should follow Senator Potter's question made this afternoon, have longer sessions and night sessions

and somehow get rid of this red-lined burlesque we are engaged in. Senator Mundt. Does the Senator have any idea how long it will take to finish his questioning?

Senator McCarthy. Not too long.

Senator Mundr. Do you envision the possibility of concluding perhaps if we were to run on without interruption until maybe 5 o'clock? Senator McCarthy. You mean if I have that time without inter-

ruption?

Senator MUNDT. Without interruption.

Senator McCarthy. I doubt the other Senators will agree to that,

and they will want their 10 minutes' time.

Senator Mundt. Most of the Senators have advised me that they have concluded their interrogatories, and I am not sure about Mr. Welch.

Senator McCarthy. I am sorry, if I haven't asked a question.

Senator Mundt. The Senators advised me that they are unwilling to agree to run on without interruption on the part of the Senator. Senator McCarthy. I assumed they wouldn't.

Senator Mund. What is your pleasure?

Senator McClellan. Mr. Chairman, we are just having a discussion, and this is not a point of order, but we have rules here and so far as I am concerned we are going to try to follow them, and I am not going to agree to give anybody a half hour's time without interruption and I will say that now. And that will hold good through these hearings, and we are going to follow these rules.

Senator Mundt. Now, may I focus the discussion on the point at question: Do you want to recess now, or do you prefer to continue with another go around? How many of the members of my subcom-

mittee prefer to recess now, and will you raise your hand?

How many prefer to start in with another round?

Senator Dworshak. Can't we complete our cross-examination of the Secretary this evening? He has been on several days and I don't know any reason why we ought to continue indefinitely with one witness.

Senator Mundt. The Senator is as good a prophet as I am, and I am trying to find out whether you want to start with another go around and the vote was in favor of continuing for a while.

Mr. Jenkins, have you further questions?

Mr. Jenkins. I have no further questions, Mr. Chairman.

Senator MUNDT. The Chair has none.

Senator McClellan?

Senator McClellan. In order to expedite this proceeding, I again, Mr. Chairman, make my contribution to bring the interrogation of this witness to an end by passing.

Senator Dirksen. I have no questions at the moment. Senator Jackson. Pass.

Senator Mundt. Senator Potter?

Senator Potter. I pass.

Senator Mundt. Senator Symington?

Senator Symington. I have no questions.

Senator Mundt. Senator Dworshak?

Senator Dworshak. I have no questions.

Senator Mundt. Mr. Welch?

Mr. Welch. I have no questions. Senator Mundt. Senator McCarthy?

Senator McCarthy. As I said you know I have no personal animosity toward you and therefore I think in fairness to you we should tell you that we have a statement from General Back and I believe in complete fairness-

Mr. Welch. Mr. Chairman, I assume the Senator is offering a state-

ment in evidence.

Senator McCarthy. No. I am not.

Mr. Welch. I would like to have it submitted to counsel then.

Senator McCarthy. This statement was taken while counsel was present, and it is a summary prepared by my staff. Being a summary, I assume it will not be admissible in evidence, and it is a summary of what General Back said last night.

Mr. Welch. In that event I would like to see it.

Mr. Jenkins. I advise the committee, the Senator is entitled to use any document he has before him to refresh his recollection with respect to questions to the Secretary and not statements of fact.

Senatr Mundt. Senator McCarthy, you hear counsel. You may use the document to refresh your memory and for use in questioning.

Senator McCarthy. May I say to the Senators and the chairman: This is a summary. I have no objection at all to this being read by the Secretary before he answers my questions or by Mr. Welch or by any member of the committee. It so happens that I have only one copy. It is very brief. If any of the committee members care to read it they are welcome to it. I assume they are not.

Mr. Jenkins. It is my suggestion, Mr. Chairman, that Senator

McCarthy proceed with the interrogation of the witness.

Senator McCarthy. Mr. Secretary, did you indicate to General Back that you were very disturbed because General Lawton in a speech had paid tribute to the manner in which our investigation at Fort Monmouth was conducted?

Secretary Stevens. I talked to General Back about General Lawton and was a little worried about his judgment in respect to certain

matters.

Senator McCarthy. You talked to me also about General Lawton, did you not?

Secretary Stevens. Mr. Adams, I think, did. Senator McCarthy. You also talked to me about it. Do you remember that?

Secretary Stevens. I don't happen to remember it, Senator.

Senator McCarthy. Do you recall that you talked to me and you said—I can't quote you verbatim but as I recall you said there was a possibility of relieving him of his command. You said you were disturbed about his judgment.

I asked you what disturbed you, and you said because he had made a speech in which he pointed out at what particular universities most of the suspended people got their educations. Do you recall that?

Secretary Stevens. In general, yes, sir. That is, I recall that information. I don't recall that conversation with you, Senator.

Senator McCarthy. That is roughly what you were disturbed about?

Secretary Stevens. I was disturbed about some of the things that were reported to me as in that speech. Incidentally, I know that it is important, but as Secretary of the Army, Senator, I dislike intensely to discuss the individual personal situation of one of our active commanding generals. If it is essential to getting all the facts on the table, I am, of course, prepared to do it. But I hope that you will bear it in mind. He is a fine professional man and he is still in command at Fort Monmouth.

Senator McCarthy. May I say, Mr. Stevens, that I have the highest respect for General Lawton. I think he is one of the most outstand-

ing generals with whom I have ever come in contact.

The reason you are being questioned on this point is because of the information which came to us through various sources, including your man John Adams, to the effect that you were going to remove him from his command after he had cooperated with the committee. I am now interrogating you as to whether or not it is true that that is the reason why you were going to remove him or if you had some other reason?

Secretary Stevens. No; that was not the reason, Senator.

Senator McCarthy. That was not the reason?

Secretary Stevens. No.

Senator McCarthy. Did you tell General Back when you called him to your office on November 24 of last year that one of the reasons why you were very much disturbed—I believe the word is "exercised"—about Lawton is that he had paid tribute to Senator McCarthy and his Fort Monmouth investigation?

Secretary Stevens. The thing I really remember talking to General Back about is the mention of these colleges and universities. It

seemed to me that that was outside the scope of his activity.

Senator McCarthy. Mr. Secretary, I am not asking for that now. If you were very much disturbed because you felt Lawton felt friendly toward the committee, because Lawton said we were doing a good job, if you discussed that with Back, you should be able to remember it. It would seem to me that is just as important as the conversations you had with Mr. Carr, Mr. Cohn, or anyone else.

Secretary Stevens. I remember talking with General Back. I cer-

Secretary Stevens. I remember talking with General Back. I certainly do. It was right in my office. I was disturbed for the reason that I have given. I felt that it was something that I had to give earnest consideration to. As I say once again, it really eats my heart out to have to talk about one of our fine commanding officers in this

way.

Senator McCarthy. I know it does.

Secretary STEVENS. Let's recognize, Senator, that he is still there. He is doing a good job. There was no change made. He came through fine.

Senator McCarthy. Did you feel he was doing a good job when you

were considering removing him?

Secretary Stevens. Obviously, if I had any worries about him or any other officer; if I didn't have I wouldn't be considering taking any action.

Senator McCarthy. It is a simple question, Mr. Secretary. You say he is doing a good job. With that I heartily agree. The question is, did you feel he was doing a good job at the time, as you say you were considering removing him from that command?

Secretary Stevens. I was concerned about some of the things that he was purported to have said in some talks that he made at Fort Monmouth.

Senator McCarthy. Did you think he was doing a good job then? Secretary Stevens. I thought he was doing a good job, yes; but I

was concerned about some of the material in those talks.

Senator McCarthy. Would you want to deny, Mr. Secretary, under oath, that you told General Back that one of the reasons why you were considering removing Lawton was because he had paid tribute to either me or to our committee?

Secretary Stevens. No; I wouldn't want to deny that.

Senator McCarthy. In other words, you don't know? Secretary Stevens. That is right. I am trying my best to recall that particular conversation. It was quite a while ago. I have given you my recollection of it, Senator, but I wouldn't be in a position to say that General Back might not recall something about the conversation that I don't recall.

Senator McCarthy. Is it true that after you talked to General Back on the 24th, he interviewed General Lawton and came back and re-

ported to you? Is that true?

Secretary Stevens. After I talked with General Back, he in turn

talked with General Lawton. I know that is true.

Senator McCarthy. And he came back and reported to you? Secretary Stevens. I think, yes, I got a memorandum from him. Senator McCarthy. Didn't he come back and personally discuss the matter with you?

Secretary Stevens. I don't recall. It was either a memorandum or

a visit. In any event, he did come back.

Senator McCarthy. Is the memorandum available?

Secretary Stevens. It is.

Senator McCarthy. With the permission of the Chair, would you produce that memorandum?

Secretary Stevens. I don't know whether I have it right here. Senator McCarthy. I didn't expect you to have it right there. Let me ask you this: Does your counsel know whether he has it there?

Mr. St. Clair. Yes.

Senator McClellan. Mr. Chairman, a point of order. Any memorandum that is introduced should first be submitted to the committee for it to determine the relevancy or materiality of it.

Senator McCarthy. I think that point is well taken.

Senator MUNDT The point of order is sustained. Counsel has sub-

mitted the memorandum.

Senator McCarthy. While the Chair and counsel are examining the memorandum, may I ask you, did he report to you, Mr. Stevens, that General Lawton admitted having praised either me or the committee for our work in digging out Communists?

Secretary Stevens. I knew he had done that. Senator McCarthy. You know he had? Secretary Stevens. Yes.

Senator McCarthy. Were you disturbed about that?

Secretary Stevens. No.

Secretary McCarthy. Do you tell us now under oath that you didn't tell General Back you were disturbed about that?

Secretary Stevens. No; I did not tell you that, Senator.

Senator McCarthy. I don't follow you, Bob. You say you were not disturbed. If you were not disturbed, you certainly wouldn't call Back in and tell him, "General, I am disturbed about Lawton's——"

Secretary Stevens. Senator, don't let's get mixed up here.

Senator McCarthy. I wish we wouldn't.

Secretary Stevens. Let's see if we can't keep this thing simple and keep it to the truth, which I am trying to get in front of you.

Senator McCarthy. That would be an excellent idea.

Secretary STEVENS. That is the idea I have had at all times during this 12 or 15 hours I have been sitting on this chair. I remember talking to General Back and, as I say, I hate to discuss this, because, personally, with all due deference, I don't see that it is necessary to do it.

Senator McCarthy. Uh-huh.

Secretary Stevens. I did talk with Back. I told him I had some reservations based on some of the content of some talks that General Lawton had made on the post to personnel on the post at Monmouth. I can remember in particular speaking to him about the references to different colleges and universities that occurred in the remarks of General Lawton, and I thought that was ill-advised and would be outside the scope of a commanding general of a post.

That was my principal recollection of the meeting, but if General Back would testify that I said what you have indicated, I couldn't deny it. I don't remember everything that was said in every con-

versation. Nobody can.

Senator McCarthy. In other words, at this time, to end this, at this time you can't tell us whether or not you told Back that one of the reasons why you thought Lawton should be removed, as commanding officer, was because he admired either the committee or the chairman of the committee?

Secretary Stevens. I don't recall that; I don't recall that. Senator McCarthy. You couldn't say yes or no on that?

Secretary Stevens. I couldn't say either yes or no on that, Senator. Senator McCarthy. Then the reason you felt he should be removed was because he discussed, not in any public meeting, but with the officers in his command, the fact that there was a heavy preponderance of security cases that came from certain educational institutions;

is that why you felt he should be removed?

Secretary Stevens. No, sir. There were several things. And as I mentioned I thought it was beyond his scope to talk about these colleges and universities. And I don't think that was fitting a commanding general of a military installation, and I wanted to be sure that General Lawton was exercising the proper amount of discretion and judgment with respect to his day-to-day activities in regard to security cases.

And so, all in all, it summed up to the point that I thought I ought to review the situation of General Lawton, and I did that with

the chief signal officer.

After it was all over and General Back had conferred with General Lawton, General Lawton was continued as commanding general at Fort Monmouth. And he has done a fine job.

I take this opportunity of paying him this tribute, not only because he deserves it, but also because I regret the necessity of discussing his individual situation.

Senator Mundt. The Senator's time has again expired.

Does counsel have any further questions?

Mr. Jenkins. I think, Mr. Chairman, that I will exercise my privilege and ask just a few questions and try to pinpoint this particular subject of inquiry.

Mr. Secretary, did you know or do you know that yesterday afternoon, after the hearings were concluded, I as counsel for the committee

had a conference with General Back?

Secretary Stevens. Yes; I knew that.

Mr. Jenkins. Did you talk to General Back after I had conferred with him?

Secretary Stevens. No, sir.

Mr. Jenkins. Was anything that he told to me, to your knowledge,

communicated to you?

Secretary Stevens. I think I may have a general idea of what transpired there, but not a specific idea.

Mr. Jenkins. Will you tell the committee from whom you got that general idea as to the burden of what General Back told me?

Secretary Stevens. I got it from my aide, Colonel BeLieu.

Mr. Jenkins. Now, General Back is under your direct command, is he not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And he is stationed at the Pentagon?

Secretary Stevens. That is right. Mr. Jenkins. That is correct? Secretary Stevens. Yes, sir.

Mr. Jenkins. Mr. Secretary, do you recall, after these committee hearings on Fort Monmouth, having called General Back to your office on one occasion at which time you had before you a letter or a paper or a document, do you recall that?

Secretary Stevens. I recall his coming in my office; yes, sir.

Mr. Jenkins. Do you recall that you had a letter or a document from which you read excerpts to General Back, with reference to General Lawton?

Secretary Stevens. I think that is correct.

Mr. Jenkins. Will you tell this committee what that letter was, from whom it had come?

Secretary Stevens. I can't recall that. I thought you were talking about—

Mr. Jenkins. I am talking about the time you called General Back to your office, first, to discuss with him General Lawton, and General Lawton's conduct at Fort Monmouth, after the McCarthy hearings on Fort Monmouth, and asking you whether or not you had a document or a memorandum before you at that time from which you read excerpts to General Back. Did you or not, Mr. Secretary?

Secretary Stevens. Well, I don't remember the document. But I do remember that I had some information or reports with respect to General Lawton and that is the reason I called General Back to come

in.

Mr. Jenkins. Do you recall whether that information was documented or not?

Secretary STEVENS. I think there may have been a newspaper clipping or something of that sort.

Mr. Jenkins. Is that what you were reading from when you called

General Back to your office?

Secretary Stevens. I don't recall, sir.

Mr. Jenkins. Do you recall reading from anything?

Secretary Stevens. I think that I may have had a newspaper

clipping. That is the only thing I can recall at the moment.

Mr. Jenkins. You would not be in position to contradict General Back if he said that you had a letter or some document before you from which you read?

Secretary Stevens. No, sir.

Mr. Jenkins. In discussing General Lawton?

Secretary Stevens. That is right.

Mr. Jenkins. With him?

Secretary Stevens. I would not be.

Mr. Jenkins. I am asking you, Mr. Secretary, whether or not at that time you were very much aggravated and angered?

Secretary Stevens. I was not angered; I was agitated.

Mr. Jenkins. Were you agitated? Secretary Stevens. Yes, sir.

Senator Symington. A point of order, Mr. Chairman.

Mr. Chairman, this witness has been on the stand now for the fifth day. And now I respectfully request the chairman or the counsel, because of the nature of the questions which require thought, to give the witness a chance to answer the questions and think at the same time.

Mr. Jenkins. If I have violated the rule in cutting this witness off

before his answers are complete, I publicly apologize.

Now, Mr. Secretary, I ask you again whether or not at the time you called General Back to your office to discuss General Lawton, after the McCarthy hearings, whether or not you were agitated?

Secretary Stevens. Yes, sir, I was.

Mr. Jenkins. Disturbed? Secretary Stevens. Yes, sir. Mr. Jenkins. Angered? Secretary Stevens. No, sir.

Mr. Jenkins. I will ask you whether or not on that occasion you discussed with General Back the attitude that had been taken by General Lawton with respect to the McCarthy hearings at Fort Monmouth?

Secretary Stevens. Yes, we discussed that.

Mr. Jenkins. Do you recall telling General Back that it was a part of your information that perhaps General Lawton had complimented Senator McCarthy and his committee on their investigations at Fort Monmouth?

Secretary Stevens. I know that General Lawton had done that, because—

Mr. Jenkins. You knew it at the time you called General Back to your office?

Secretary Stevens. I couldn't state that I knew it at that time. But I know that General Lawton gave me a rough draft of the re-

marks that he had made. And that information was in there, and so I knew about it.

Mr. Jenkins. That was later, was it not, the following day?

Secretary Stevens. It may have been.

Mr. Jenkins. Now, then, among other things, you said to General Back was that General Lawton had stated that certain soldiers at Fort Monmouth who were graduates of certain educational institutions, in this country, had shown procommunistic leanings. Do you recall that, do you not, Mr. Secretary?

Secretary Stevens. Something along that line, Mr. Jenkins.

Mr. Jenkins. And that General Lawton had named those institu-

tions, that is correct, isn't it?

Secretary Stevens. I don't think that that is quite correct. I think that he had named, as I recall it, about 8 or 10 institutions; but I don't recall any connection between most of those institutions and Fort Monmouth. If that is what you mean.

Mr. Jenkins. And you criticized, did you not, General Lawton to General Back for having specifically named those institutions of

learning; is that correct?

Secretary Stevens. I "criticized" is possibly a strong word, and I said I didn't think-

Mr. Jenkins. You took him to task for it?

Secretary Stevens. I talked to General Back about it, yes, sir.

Mr. Jenkins. And did you then discuss with General Back the thought or intention which was in your mind, of removing General

Secretary Stevens. Oh, yes, I did. Mr. Jenkins. On that occasion? Secretary Stevens. Yes, sir.

Mr. Jenkins. Do I understand, or did you know then that General Lawton had cooperated with the McCarthy committee in its investigations at Fort Monmouth?

Secretary Stevens. I certainly did. Mr. Jenkins. Mr. Secretary—

Secretary Stevens. I had ordered him to do so. Mr. Jenkins. You had ordered him to do so?

Secretary Stevens. Certainly I had ordered General Lawton, as well as any of our other commanding officers, to cooperate to the fullest extent with this committee, or any other committee, as that is

part of my policy.

Mr. Jenkins. Mr. Secretary, were you present in an executive meeting attended by Mr. Adams and General Lawton, Senator McCarthy, and other members of his staff, at which time General Lawton was questioned about infiltration of Reds at Fort Monmouth? Were you present at such a meeting?

Secretary Stevens. The only time I was there was on the 20th of

October, and I don't recall that particular meeting.

Mr. Jenkins. Did Mr. Adams ever report such a meeting to you?

Secretary Stevens. He may have.

Mr. Jenkins. At which time General Lawton was questioned about why he, as the commander-in-chief at Fort Monmouth, had not exercised his own prerogatives in discharging or suspending subversives from Fort Monmouth?

Secretary Stevens. As a matter of fact, I think that I personally, if I recall correctly, spoke to General Lawton about exercising that prerogative.

Senator McCarthy. Counsel, may I ask you-

Senator Mundt. A point of order?

Senator McCarthy. No, a question to counsel.

Senator Mundt. The Chair must insist if we are going to expedite these hearings, that there be no interruptions, in conformity with our

Senator McCarthy. I have the testimony here.

Mr. Jenkins. Mr. Chairman, I want the document now in the possession of Senator McCarthy. I will say that I have seen it. I have seen it in Mr. Cohn's office in connection with my preparation of the Cohn-Senator McCarthy side of this controversy.

Senator McCarthy. May I bring it up?

Senator Mundt. You may bring up the document.

Mr. Jenkins. Mr. Chairman, at this time I have before me what purports to be a transcript of hearings at an executive session and which contains testimony of General Lawton that I think is pertinent to this inquiry. General Lawton is being interviewed by me this afternoon. I anticipate that he will be used as a witness. I do not want to read—I state to this committee as its counsel that the testimony of General Lawton is material to the issues involved in this controversy. I have no intention of reading from the testimony of General Lawton in that executive meeting of this committee without the consent of this committee, and I now ask that consent of this committee.

Senator McClellan. A parliamentary inquiry, Mr. Chairman.

Senator Mundt. Senator McClellan.

Senator McClellan. Is this a document that members of the com-

mittee have had an opportunity to see?

Mr. Jenkins. Senator McClellan, it is a transcript of hearings before this committee, of which at the time Senator McCarthy was chairman, under date of October 14, 1953, being an executive session of the committee, at which time General Lawton, the commander of Fort Monmouth, was interrogated.

Senator McClellan. Mr. Chairman, I thought this was a document that had probably been developed since these hearings started.

Mr. Jenkins. This document has been in existence since October.

Senator McClellan. It is a committee document.

Mr. Jenkins. Yes, it is. I ask the consent of the committee to read from this document.

Senator Mundt. Does the Chair hear any objection? He hears none. You may proceed.

Senator McClellan. May I make a parliamentary inquiry? The

reading is for the purpose of predicating a question?

Mr. Jenkins. The reading is for the purpose of pursuing the point of inquiry, to wit: Did or did not the Secretary of the Army threaten reprisals—I don't intimate that he did—I am pursuing that inquiry did or did not the Secretary of the Army threaten reprisals against General Lawton because General Lawton cooperated with the Mc-Carthy committee, complimented the McCarthy committee, and did such other things as would reflect an attitude on the part of the Secretary toward him or against him.

Senator McClellan. I think, Mr. Chairman, he can be questioned about them, but I don't know about reading a whole document here.

Mr. Jenkins. I have no intention, Senator McClellan—

Senator McClellan. You can read anything to develop the question.

Mr. Jenkins. Not more than one page or a page and a half of

testimony given by General Lawton under oath.

Senator McClellan. If it is possible for the purpose of predicating a question to the witness, then I think it would be competent or proper, if counsel wanted to do so, to do so, but without that it would not be proper.

Is that correct? Is that the purpose for which counsel wishes to read it, or does he wish to read it as a part of the testimony in this case?

Mr. Jenkins. I wish to read it for the purpose of ascertaining whether or not a reprisal on the part of the Secretary of the Army against General Lawton was threatened because of the attitude of General Lawton with respect to the McCarthy investigation of Fort Monmouth.

Senator McClellan. If I may say, it is quite proper to ask to interrogate the Secretary on that point, but I do not want that testimony to be made a part of this record unless General Lawton or whoever gave the testimony is here to testify.

Mr. Jenkins. General Lawton will be a witness before this com-

mittee, Senator.

Senator Symington. A point of order, Mr. Chairman.

Senator Mundt. Senator Symington.

Senator Symington. I do not know what is in that testimony. I am not a lawyer. I have been in the Military Establishment. I understand I still have the right to question the witness as a member of the committee. If there is this testimony to be read, I would respectfully request the chairman, inasmuch as I have never seen the testimony, as a member of this committee I be allowed to read it in context and out of context in order to form my own ideas as to how to proceed in the quasi-judicial job that I have on this committee today.

Senator Mundt. The Chair will say, if the Senator insists on reading it, which I think is within his right, it now being well after 4:30, the alarm having rung for a quorum call preceding a vote, I suggest

to my colleagues perhaps we should recess for the evening.

Senator Symington. A point of order, Mr. Chairman. I would not insist to the chairman. I would respectfully request the oppor-

tunity to read the testimony in context.

Senator Mundt. The Chair was about to work out an arrangement so you would have that opportunity, because we are having an executive session of the committee in my office tomorrow morning at 10 o'clock. We are meeting here in public session at 10:30. Counsel will be there with the document, and at that time certainly, if not earlier, you would have a chance to read it.

Senator Symington. I thank the chairman.

Senator Mundt. Very well. We will recess until 10:30 tomorrow morning and will be in executive session in my office at 10.

(Whereupon, at 5:05 p. m., the hearing was recessed until 10:30

a. m., Thursday, April 29, 1954.)

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PECIAL SENATE INVESTIGATION ON CHARGES ND COUNTERCHARGES INVOLVING: SECREARY OF THE ARMY ROBERT T. STEVENS, JOHN ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 189

PART 11

APRIL 29, 1954

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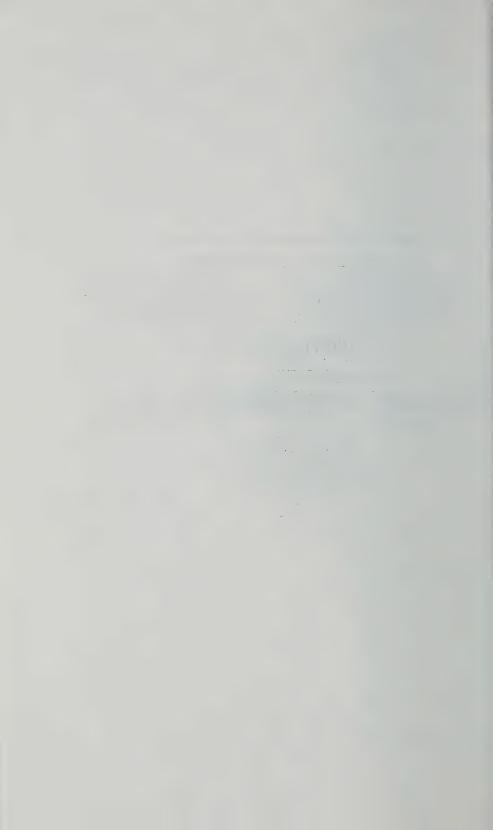
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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

THURSDAY, APRIL 29, 1954

UNITED STATES SENATE, SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS, Washington, D. C.

The subcommittee met at 10:45 a.m., pursuant to recess, in the caucus room of the Senate Office Building, Senator Karl E. Mundt,

chairman, presiding.

Present: Senator Karl E. Mundt, Republican, South Dakota; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Reoublican, Idaĥo; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; and Senator

Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk. Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secrecary of Defense; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator Mund. The committee will come to order.

The Chair would like to remind our guests that they are here at the oleasure of the committee, and we will ask them to comply with the committee rules to refrain from all manifestations of approval or disapproval. The Chair had a little difficulty with that yesterday, and t is very important that that rule be enforced. The results have been some complaint from the people in the rear part of the room that hose sitting in the spectators' seats closer to the front at times stand up as the photographers do, and so will you all oblige the committee by complying with that baseball slogan, "Down in front," so everypody will be happy.

The Chair would like to apologize to the television people and the

folks who are here, to counsel for both sides and the witnesses, for the

fact that we are a little late. We had an executive committee meeting in our office this morning, and no decisions were arrived at except we are all determined to do everything possible to expedite the hearings and get them moving forward as rapidly as possible, and each committee member is going to give some thought as to any constructive suggestions he can devise toward that end, and we will meet further on the subject as necessity arises.

We left off with counsel interrogating the witness. Mr. Stevens is

ready, and Mr. Welch is ready, and we will begin, Mr. Counsel.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Mr. BRYAN. Mr. Chairman.

Senator Mundt. Have you a point of order?

Mr. Bryan. This is not a point of order, but the fact is, in view of what occurred late yesterday afternoon, I would like the record to show that my name is Frederick Bryan, of New York City, and that I am the personal attorney and counsel for Mr. Hensel in this proceeding, and that yesterday I was in New York keeping a prior professional engagement; and that fact was duly announced on the record, through the courtesy of Mr. Jenkins, on Monday, the 26th, at the opening of the afternoon session, at page 460 of the record, so there is no doubt about the fact that Mr. Hensel is represented by counsel, as everybody in this proceeding knew and must have known from the beginning.

Senator Mundt. I am sure that is quite apparent in the record now,

sir. That is perfectly all right.

Counsel will proceed.

Mr. Welch. Mr. Chairman.

Senator Mundt. Do you have a point of order?

Mr. Welch. I have a point of importance.

Senator Munder. We would like to get these hearings going, and we would like to expedite them, and you have so expressed yourself, and I hope you will constrain yourself if it is not a point of order; and if it is a point of order, the Chair would be glad to hear you, of course.

Mr. Welch. It is a point of order and a point of simple justice.

Yesterday, last night almost at the close of the day's hearings, a series of statements and questions was placed in the record by Senator McCarthy, which seemed to me of the gravest importance. Those statements and those questions created what I conceive to be a totally false impression and resulted in headlines this morning gravely prejudicial to the Army's case.

The statements in question to which I refer appear on pages 942,

945, and 947 of the record.

At page 942 of the record, at the top of the page, Senator McCarthy in speaking to the Secretary of the Army, said:

As I said, I know I have no personal animosity toward you, and therefore I think in fairness to you we should tell you that we have a statement from General Back, and I believe in complete fairness—

here the Senator was interrupted.

nd this statement was taken while counsel was present, and it is a summary epared by my staff. Being a summary, I assume it will not be admissible evidence, and it is a summary of what General Back said last night.

At page 945 of the record, Senator McCarthy asked this question the Secretary:

Did you tell General Back when you called him to your office on November 24, last year, that one of the reasons why you were much disturbed, I believe e word is "exercised," about Lawton, is that he had paid tribute to Senator cCarthy and his Fort Monmouth investigation?

And again on page 947, Senator McCarthy said:

Would you want to deny, Mr. Secretary, under oath, that you told General ack that one of the reasons why you were considering removing Lawton was cause he had paid tribute either to me or to the committee?

As I have indicated, the impression created by this series of stateents and questions is so far from the truth and so prejudicial to be Army's case that the only possible thing to do to repair the amage that was done is to interrupt Secretary Stevens and call eneral Back to the stand so that we may hear from his lips the mple truth.

I now request that Mr. Jenkins call General Back to the stand, and ut to him the questions, three in number, that I now hand to Mr.

enkins.

Senator Munder. The Chair has conferred with counsel and he beeves that you have made a valid point of order, and it is perfectly
roper that the general in question be called. But we do not want
o interrupt the proceedings at this time because we hope to conclude
ith Mr. Stevens this morning, and I hope speedily—and I am sure
hat everybody around the table, including Mr. Stevens, must share
hat hope—and we will see to it that the gentleman in question is called
had placed under oath in due course and orderly proceedings in conmention with the counsel's plan for conducting the case.

The general will be called and if an injury has been done it will

e rectified.

Mr. Welch. And promptly, sir. Senator Mundt. What is that? Mr. Welch. And promptly. Senator Mundt. Yes. Mr. Welch. Thank you.

Senator McCarthy. Mr. Chairman.

Senator Mundr. Do you have a point of order?
Senator McCarrhy. No; except I would say I would agree with

Ir. Welch and I have no objection to calling General Back and Genal Lawton. I am not suggesting the Chair do it, but I want to ake it clear I would have no objection to having that done.

Senator MUNDT. I am sure that both will be called.

Mr. Jenkins, you may proceed. You may start to proceed and I ppe you may keep on proceeding.

Mr. Jenkins. Mr. Stevens, yesterday afternoon I was——

Senator McCarthy. I know we decided this morning we would try expedite this as much as possible, but let me take just 10 seconds. I onder if Mr. Jenkins, in view of Mr. Welch's statement, if Counsel inkins would not state for the record whether or not I was giving a

substantially correct analysis of General Back's testimony or would you prefer to wait until General Back is on the stand?

Mr. Jenkins. I have been unsworn, Senator McCarthy. I am no

Mr. Secretary, I was examining you yesterday afternoon at adjourn ment time with reference to whether or not you undertook to plan to or had any thought of exercising any reprisals against General Law ton by reason of any conduct on his part. My recollection is tha your answer was in the negative, is that correct?

Secretary Stevens. No reprisals; no, sir.

Mr. Jenkins. You did, however, have in mind and consider remov ing General Lawton from Fort Monmouth, as I believe you stated vesterday.

Secretary Stevens. Mr. Jenkins, goodness knows I am the fellow who is primarily interested in expediting this hearing along—

Mr. Jenkins. And I believe you can do so if you will say yes or no and then make what explanation you want to make, Mr. Secretary.

Secretary Stevens. I do hope that we do not have, on this fine pro

fessional soldier, gone too much into his personal situation.

Mr. Jenkins. I understand you. You stated all that yesterday or several occasions, that he is a fine professional soldier. But did or no you have in mind his removal from Fort Monmouth for reason known to yourself?

Secretary Stevens. I gave the matter some thought.

Mr. Jenkins. And you discussed the matter with General Back

Secretary Stevens. That is correct.

Mr. Jenkins. You have never discussed it with General Lawton personally?

Secretary Stevens. No, sir.

Mr. Jenkins. You know, Mr. Secretary, of an executive session held on October 14, do you not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. You were not present?

Secretary Stevens. I was present at part of the session on October

Mr. Jenkins. I will ask you whether or not at that executive session

on October 14 Mr. Adams was likewise present.

Secretary Stevens. Yes, he was.

Mr. Jenkins. He was present at all times during that session, was

Secretary Stevens. I could not answer that of my own certain

Mr. Jenkins. Very well. Let me ask you this question: Did or no Mr. Adams report to you this conversation which allegedly occurred at that executive session: That Senator McCarthy asked Genera Lawton—this being on October 14—how many poor security risks he as commanding officer of that area had dismissed during his tenur of office there, and that General Lawton replied that he had dismissed none up to within 2 weeks of that date, being approximately October 1. Did Mr. Adams report to you that such a question and such ar answer substantially were asked and given?

Secretary Stevens. I am not sure that Mr. Adams reported that to

me, but I became aware of it at some time.

Mr. Jenkins. I will ask you this further. I am not reading from he transcript of the record, but from having read it and relying upon my memory, I will ask you this further: State whether or not Mr. Adams reported to you that General Lawton was asked by Senator McCarthy why he had not discharged or suspended poor security risks prior to a 2-week period next preceding October 14; and I will ask you whether or not the reply of General Lawton was this: "There sits one of the reasons"—pointing to Mr. Adams, and that the examination was pursued by Senator McCarthy and he asked him whether or not me had had any orders from you as Secretary of the Army to dismiss or suspend no bad security risks on his own responsibility, and that General Lawton thereupon replied, "I would rather not answer that question," and that when he was interrogated as to why he would eather not answer "It is," his reply was, "I am working for Secretary Stevens."

Did Mr. Adams report such a conversation to you in substance?

Mr. Welch. Mr. Chairman, I need not—— Senator Mundt. Have you a point or order?

Mr. Welch. I need not say to a gentleman of Mr. Jenkins' skill that hat is a pretty long question to hand any witness.

Mr. Jenkins. If you object, I will break it down, Mr. Welch.

Mr. Welch. I hate to take the time.

Mr. Jenkins. So do I.

Mr. Adams reported to you what occurred on October 14 in execuive session of the committee, did he not?

Secretary Stevens. Mr. Jenkins, he reported something. I do not

suppose he reported it all in detail.

Mr. Jenkins. He reported to you that General Lawton was then examined by Senator McCarthy, did he not?

Secretary Stevens. Yes.

Mr. Jenkins. That is an important event. Do you recall that?

Secretary Stevens. Yes.

Mr. Jenkins. All right, Mr. Secretary, he reported to you the testimony in substance of General Lawton, did he not? That is an important event.

Secretary Stevens. I have no recollection that he reported it sen-

tence by sentence or question by question.

Mr. Jenkins. I said in substance, Did he or not? You were the Secretary of the Army. Lawton was under you. You say that you were giving consideration to relieving him or transferring him, and you were interested to know his attitude, obviously. Did Mr. Adams report to you in substance the testimony of General Lawton before the executive committee?

Secretary Stevens. I was not giving any thought to changing Gen-

eral Lawton as of the 14th of October; no.

Mr. Jenkins. All right. I will ask you this question now, then: As a result of what Mr. Adams told you with respect to the testimony of General Lawton, is that when you started giving consideration to uspending him or transferring him?

Secretary Stevens. That it had nothing to do with it.

Mr. Jenkins. Nothing to do with it. Now I revert to my original juestion: Did Mr. Adams report to you after the meeting of October 4, the executive session, in substance the testimony of General Law-

ton, one of your generals in charge of an important installation? Did he or not, Mr. Stevens?

Secretary Stevens. I think that he did.

Mr. Jenkins. You think he did. He reported to you in substance

what he swore under oath.

I will ask you this question: Did he tell you, among other things, that General Lawton was asked whether or not he on his own initiative—and I believe you testified the other day that he had that authority—had discharged or suspended any poor security risk? That is one question. Did he tell you that?

Secretary Stevens. I do not recall that he did.

Mr. Jenkins. Well, Mr. Secretary, don't you recall that that was the very purpose of the examination of General Lawton by Senator

McCarthy?

Secretary Stevens. I thought that the purpose of the hearings up there—it was while I was there—was to interview various people who either were or had been connected with the Fort Monmouth installation and who conceivably might shed some light on security questions.

Mr. Jenkins. And General Lawton would be expected to know more about that than any other living human being; wouldn't he?

Secretary Stevens. He would know a lot about it.

Mr. Jenkins. Yes. I believe you say he is a fine, outstanding officer.

Secretary Stevens. That is right.

Mr. Jenkins. A highly intelligent man.

Secretary Stevens. That is right.

Mr. Jenkins. And one of your subordinates.

Secretary Stevens. Yes, sir.

Mr. Jenkins. In charge of an important installation.

Secretary Stevens. That is right.

Mr. Jenkins. Mr. Stevens, do you mean to tell this committee—and I am not implying how I feel about it one way or the other, please understand that—the committee has to evaluate your testimony and determine how much weight to give it. Are you telling this committee now that you do not recall Mr. Adams, your attorney, the man who had been appointed as your liaison officer to work with this committee, telling you that General Lawton was asked by Senator McCarthy whether or not he, General Lawton, had on his own initiative suspended or discharged subversives or bad risks while he had been at Fort Monmouth? Do you not recall that, Mr. Secretary?

Secretary Stevens. I answered that question before, Mr. Jenkins.

Mr. Jenkins. What is your best impression about it? Secretary Stevens. I say I don't remember that.

Mr. Jenkins. Have you got any impression one way or the other about whether or not such vital and important information was imparted to you by Mr. Adams?

Secretary Stevens. No; I know what the statistics show, and I introduced them into the record with respect to the suspensions at Fort

Monmouth.

Mr. Jenkins. I will ask the question this way: Did you later learn that General Lawton was asked that question by Senator McCarthy.

Secretary Stevens. I don't think that I had any particular information. I knew that General Lawton appeared, but I do not recall having any particular close connection with whatever it was he testi-

fied to until recently when I learned more about what was in the testimony.

Mr. Jenkins. At one time you gave consideration to relieving

General Lawton, and you did, did you not?

Secretary Stevens. I gave the matter some thought.

Mr. Jenkins. Yes, sir; all right, we will call it thought instead of consideration, Mr. Secretary. And in determining whether or not it ought to have been done, you naturally would have investigated his record and his attitude at Fort Monmouth, wouldn't you?

That is right, isn't it?

Secretary Stevens. Mr. Jenkins, the reason—I explained yesterdav-

Mr. Jenkins. You are not answering my question, Mr. Secretary, and we will get along better and the question is simple. In determining whether or not he ought to be relieved, you naturally gave some consideration to his attitude and his loyalty or disloyalty and his ability, and so forth, and what he had said and done. I take it that you made an investigation of it?

Secretary Stevens. I testified yesterday on why I gave thought to

this question.

Mr. Jenkins. I understand that, and in thinking of the question, wouldn't you naturally, as Secretary of the Army and charged with the responsibilities that you are, have given consideration to the type of work that General Lawton was doing, and to the type of man he was, and his public utterances, and his private utterances. Did you do that, and give the man an investigation and make one of him before you made that momentous decision? Did you or not?

Secretary Stevens. I accepted all of General Lawton's qualifications 100 percent, and the only thing that I had in mind that really concerned me, as I testified yesterday, was the question of (a) some references to colleagues in a statement that he made; and, (b), I just wanted to say myself that he was using good judgment in his job from

day to day.

Mr. Jenkins. So that now this morning as you sit there, you are not able to recall, you tell us, whether or not you knew that General Lawton had been asked by Senator McCarthy whether or not he had suspended any subversives on his own initiative. Is that what you are saying now? Is that right?

Secretary Stevens. I don't happen to recall that particular.

Mr. Jenkins. All right, do you recall this: That Mr. Adams told you that General Lawton's reply to the committee's question was in substance this: "No, I have not suspended anyone for the past 21 months, while I have been in command at Monmouth, with the exception of the last 2 weeks." Does that register with you, Mr. Secretary?

Secretary Stevens. I think that I heard that. Mr. Jenkins. You think that you heard that?

Secretary Stevens. Yes, sir.

Mr. Jenkins. From the lips of Mr. Adams, who is your mouthpiece,

as I understand it, on occasion?

Secretary Stevens. Mr. Jenkins, it is terribly hard for me to answer these questions, sir, because I don't get a chance to answer one question before you start on another, sir.

Mr. Jenkins. I do beg your pardon, and I will try not to repeat

the offense.

Secretary Stevens. It is very difficult, and I am trying my most sincere way to get the facts before this committee.

Mr. Jenkins. When I violate the rule, call it to my attention, Mr.

Welch, please, sir.

Now, you understand the last question, don't you?

Secretary Stevens. It is out of my mind now, sir, because I frankly—

Senator Mundr. The reporter will repeat the question.

Mr. Jenkins. May I repeat it? The question that I asked you, and I thought I got your answer, was this: Do you now recall that from the lips of Mr. Adams you got the information that General Lawton's reply was that he had made no suspensions of subversives or questionable risks on his own initiative for the 21 months of his tenure in office at Fort Monmouth, with the exception of the 2 weeks next preceding the date of the testimony of October 14. Do you recall that?

Secretary Stevens. Did I answer that question?

Mr. Jenkins. I understood that you did, and I may be in error.

Secretary Stevens. May we have the answer read?

Senator Mundt. You may have the answer read. I think you did answer it.

Mr. Jenkins. Please read it.

(Whereupon, the question and answer referred to was read by the

reporter as above recorded.)

Mr. Jenkins. Then your answer is that "I think that I heard that," and you did receive that information from Mr. Adams, is that correct? Secretary Stevens. I can't state that I received it from Mr. Adams.

Mr. Jenkins. But you did receive it?

Secretary Stevens. I think that I received it.

Mr. Jenkins. Very well. Do you further recall that you were informed by either Mr. Adams, or anyone else, that General Lawton was then asked why he did not effect any suspensions on his own initiative?

Secretary Stevens. No, sir.

Mr. Jenkins. You don't recall that?

Secretary Stevens. No, sir.

Mr. Jenkins. Well, do you recall that Mr. Adams informed you, or anyone else informed you that General Lawton stated that the reason he didn't—no—that he was asked a question as to why he didn't, and that he pointed to someone and said, "There is one reason."

Secretary Stevens. I don't recall ever having heard that. Mr. Jenkins. Do you deny ever having heard that?

Mr. Jenkins. Do you deny ever having heard that? Secretary Stevens. I don't recall having heard it.

Mr. Jenkins. Do you recall that he was asked this specific question, "Did Secretary Stevens ever direct you not to make any suspensions on your own initiative?"—that is one question and I will stop there.

Secretary Stevens. Actually, Mr. Jenkins, I had orders out to all of our commanders, to all of our field installations.

Mr. Jenkins. Your answer is not responsive, Mr. Secretary.

Secretary Stevens. And they were to exercise their own judgment in these matters.

Mr. Jenkins. I know, but your answer is not responsive, and your lawyers will advise you that. It doesn't respond to my question.

My question is do you recall General Lawton being interrogated and asked "Did Secretary Stevens ever order you not to make these suspensions?" Now that is one question and very simple.

Secretary Stevens. I certainly never heard anything like that.

Mr. Jenkins. You didn't hear that and now your answer is definite. Secretary Stevens. I don't recall having heard anything like that. Mr. Jenkins. Do you recall that General Lawton's reply was, in substance: "I would rather not answer; I am working for Secretary Stevens?"

Secretary Stevens. That I am unfamiliar with.

Mr. Jenkins. Now, you are telling this committee that your employee, Mr. Adams, did not communicate to you a message as vitally as important as that, with respect to General Lawton, one of your

generals?

Secretary Stevens. Mr. Jenkins, I had given instructions that our field commanders were to exercise their own judgment in these matters of suspension, and I expected them to do it and I made that clear. And that applied to General Lawton as well as the field commanders at other installations. I expected them to do it.

I can't conceive of having suggested to not do it and I certainly

did not instruct them not to do it.

Mr. Jenkins. I will not pursue that any further, Mr. Secretary. Mr. Adams is under your command, of course; is he not?

Secretary Stevens. Yes, sir.

Mr. Jenkins. He takes instructions from you?

Secretary Stevens. Yes, sir.

Mr. Jenkins. He carries out your orders?

Secretary Stevens. Yes, sir.

Mr. Jenkins. As far as you know, he has always done that faithfully?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And he is still in your employ in the same capacity in which he was originally employed?

Secretary Stevens. That is right.

Mr. Jenkins. I will ask you this: Did you instruct—and as far as you know, he has never given an order or a directive except upon your direction?

Secretary Stevens. Mr. Adams doesn't have the authority to give

nstructions

Mr. Jenkins. I will ask you this, Mr. Secretary: Did or not early in November of last year Mr. Adams talk to General Lawton and say in substance, "General, I hope you see your way clear to withdraw certain cases which you have recommended for removal as bad security risks." Did you direct Mr. Adams to make such a communication to General Lawton?

Secretary Stevens. I can't recall anything about that. Mr. Jenkins. You can't recall anything about it?

Secretary Stevens. No, sir.

Mr. Jenkins. Did Mr. Adams ever advise you that he had given such a directive or made such a request of General Lawton?

Secretary Stevens I can't recall anything about that.

Mr. Jenkins. That is a tremendously important thing, isn't it, Mr. Secretary, and sheds great light on the issues of this controversy? I ask you now to search your mind, and you may consult with counsel

or ask for a recess. I want you to search your mind, and I want you to answer this: Did or not you direct Mr. Adams to call General Lawton by telephone and say, in substance: "I hope you can see your way clear to withdraw certain cases which you have recommended for removal as bad security risks," and that General Lawton replied as follows: "I will not; let the Secretary take the responsibility."

follows: "I will not; let the Secretary take the responsibility."

Again I say, Mr. Secretary, in all fairness to you, I want to state this: I have not asked a single question of you or any other witness unless I thought there was some reasonable basis for it, and I think it fair that you and your eminent counsel now know that I am reading from a written document prepared by now Captain Corr—he has been promoted—prepared by Captain Corr in my presence and General Lawton's presence, and in the very handwriting of Captain Corr, and I pass it to the chairman to determine whether or not I have correctly quoted from it.

I say that it is of vital importance to the issues of this lawsuit.

Senator Dirksen. Investigation. Mr. Jenkins. Well, investigation.

I am asking for an answer—"yes" or "no."
Secretary Stevens. Can I look at the paper?

Mr. Jenkins. You certainly may.

(Document passed to Secretary Stevens.)

Mr. Welch. Mr. Chairman, before I look at the paper, may I say a word to my friend, Mr. Jenkins?

Mr. Jenkins. Yes

Mr Welch. I am informed, Mr. Jenkins, that you have tried many murder trials, and with great success, but may I remind you, my friend, that this is not a murder trial, and that you are examining the Secretary of the Army. It may feel good to me when you jump down the throats of the witnesses on the other side, but I beg of you, this witness is entitled, I think, to at least ordinary courtesy. In your zeal, which I admire, I think by the tone of your voice you may convey an impression to the country that you would not wish to convey.

Senator Mundt. Senator McClellan?

Senator McClellan. Mr. Chairman, I have no particular comment. I think the witness should be subjected to cross-examination, and I think these questions are pertinent to the issues. I think the witness

should be required to answer.

Senator Mundt. May the Chair state as far as he is concerned, all witnesses must appear in this committee room at the same level. We expect generals and privates, Senators and Secretaries, employees, all to be treated the same. We are trying to find out the truth. There is no measure of disrespect for any of them, I am sure, implied in any of the questions the counsel is asking in his zealous and difficult task of getting at the truth.

Mr. Symington?

Senator Symington. Mr. Chairman, I would like to completely support the remarks made by my colleague, the distinguished Senior Senator from Arkansas.

Mr. Welch. Mr. Chairman, is it proper for me now to read the

paper that has been handed to the witness?

Senator Mundt. Suit yourself. You are not "allowed." You are not a witness. Of course you may consult it.

Mr. Welch. May the witness read it? Senator Mundt. Surely he may. (Witness examining document.)

Mr. Welch. Shall I read this out loud?

Senator Mundt. You may, sir, if you care to. Will you read everything on the paper, then, Mr. Secretary?

Secretary Stevens. It has the word November, "N-o-v.," with a

question mark after it. Then it says,

Adams asked Lawton by phone, "I hope you can see your way clear to withdraw certain cases which you have recommended for removal as bad security risks." Lawton: "I would not let the Secretary take the responsibility."

Mr. Jenkins. Isn't that precisely what I read to you, Mr. Secretary ? Secretary Stevens. As far as I know, it is, sir.

Senator Jackson. A point of order, Mr. Chairman.

Could the counsel advise what we are reading from just for identifi-

cation?

Mr. Jenkins. We are reading from a document written by General Lawton's aide previous to the last few hours Lieutenant Corr, now Captain Corr—

Senator Jackson. A telephone conversation?

Mr. Jenkins. No, sir; written by Captain Corr in my presence and in the presence of General Lawton this morning prior to your executive session; and with the consent and approval of General Lawton, I requested the General's aide to write it out in his presence. It was written in his presence, in the handwriting of Captain Corr, and was read by General Lawton, who is in this room along with his aide, Captain Corr. And that, Senator Jackson, is what I have read.

Senator Jackson. That is what I understood, but what is the No-

vember date? That is what threw me off.

Mr. Jenkins. The "Nov." has a question mark after it. General Lawton told Captain Corr and me that that conversation was early in November, but he was unable to give the date and for that reason it is put "November, question mark."

Senator Jackson. I see. It sounded like a memo that I understood

had been written today, but it had the November date on it.

Mr. Welch. I would like to suggest—

Senator Mundt. Do you have a point of order?

Mr. Welch. That Senator Jackson look at the memorandum. Senator Mundt. We will be glad to have the memorandum returned to the committee table so the committee members can all look at it.

Will counsel proceed with his questions?

Mr. Jenkins. Mr. Chairman, I have not yet received an answer to my last question.

Senator Mundt. Do you have the last question in mind, or should

 ${f I}$ have the reporter read it?

Secretary Stevens. No, I just read that, and I have it in mind. I have no recollection of any such telephone conversation and obviously could not have been on the phone.

Mr. Jenkins. Your answer is that you have no recollection of such

conversation?

Secretary Stevens. That is right.

Mr. Jenkins. And that it obviously could not have been over the telephone?

Secretary Stevens. I mean I was not on the telephone.

Mr. Jenkins. Mr. Secretary, there is nothing in my question to imply that that was a conversation between you and General Lawton. I am sure that you understand the import and plain meaning of my words—

Secretary Stevens. What I was trying to say, sir, is that this is evidently a telephone conversation between Adams and, I guess, General Lawton.

Mr. Jenkins. We are agreed on that.

Senator Jackson. I do not want to interrupt, but a point of order. I raised the point of order earlier as to the nature of this memo. Now I have read the memo, and I note in the first sentence—first there is "November, question mark," and then it says this: "Adams asked Lawton by phone"—and then it goes on, "I hope—" so and so. It is a reference to a telephone conversation.

Mr. Jenkins. Certainly it is.

Senator Mund. Everybody is in agreement on that.

Senator Jackson. I am not trying unnecessarily to take up time, but I am just trying to keep the record clear so I can follow this testimony. It is a memorandum with reference to a telephone conversation. I think that ought to be clarified at this point. It is being offered.

Mr. Jenkins. That is part of my question, Senator Jackson.

Senator Jackson. I asked earlier and was advised that it was not. Senator Mund. The Secretary answered the question while you were reading the memorandum.

Senator Jackson. May I ask who listened in on the telephone

conversation?

Mr. Jenkins. There is nothing in the question to indicate that anybody listened in. As far as I know, nobody listened in. It may develop that somebody did. If somebody did, I have not been so advised.

Mr. Welch. Mr. Chairman, I think this is a question of relevancy. This was not a telephone conversation between this witness and

General Lawton.

Mr. Jenkins. No, but one between General Lawton and Mr. Adams, who is the representative and the mouthpiece of this witness, and—

Mr. Welch. That is another matter, sir. Mr. Adams may be asked

about it, but this witness—

Mr. Jenkins. I am asking this witness if Mr. Adams reported that to him, or if it was made at this witness' direction.

Mr. Welch. Well, he may—

Senator Mundt. One point of order at a time, and the Chair will rule on the point of order of Mr. Welch, that it appears to be a perfectly relevant question to ask if the Secretary knew about the phone conversation or not.

Mr. Welch. That is the question he should answer. Secretary Stevens. I have no recollection of it at all.

Mr. Jenkins. Shall I proceed?

Senator Jackson. Just this point of order. I am trying to get this memorandum straight in my mind. Obviously, from this memorandum, which I assume is from Captain Corr, is it?

Mr. Jenkins. It is not 2 hours old.

Senator Jackson. Written out by Captain Corr?

Mr. Jenkins. In my presence and in the presence of General

Lawton and at the direction of General Lawton.

Senator Jackson. My point of order is that I would like to know whether or not Captain Corr listened in on this telephone conversation, because the memorandum—just a minute—the memorandum says Adams asked Lawton by phone, and then he goes on and repeats the memorandum of the conversation. So obviously this is a point of order.

Senator Jackson. Obviously, Captain Corr must have listened in

on the telephone conversation.

Mr. Jenkins. Senator Jackson, that memorandum was dictated by General Lawton, in my presence, to Captain Corr this morning, and Captain Corr wrote it out, at the dictation of General Lawton.

Senator Jackson. Oh.

Senator Munderstand the memorandum, and counsel may continue to ask questions about it.

Mr. Jenkins. Now, I understood you to say previously that Mr.

Adams acted at your direction only.

Secretary Stevens. No, I wouldn't say that. He was the Department or he is the Department of the Army counselor.

Mr. Jenkins. And he takes orders from you? Secretary Stevens. Yes, he takes orders from me.

Mr. Jenkins. And I understood you to say that as far as you knew

he had executed all of those orders.

Secretary Stevens. Oh, I can't say or make a statement like that.

Mr. Jenkins. Did you say—I ask you now, as far as you know, has Mr. Adams carried out your directives and orders?

Secretary Stevens. I know he has attempted to.

Mr. Jenkins. As far as you know, has Mr. Adams given any orders

or directions except with your consent or at your direction?

Secretary Stevens. Well, I don't know, Mr. Jenkins. He is not in the line of command, and he may have atempted at times to give orders, and I just don't know.

Mr. Jenkins. He had no authority to, did he, Mr. Secretary? Secretary Stevens. He did not have actual authority to do it.

Mr. Jenkins. Did Mr. Adams ever report to you that in the early part of November 1953, he called General Lawton on the telephone and asked him if he could see his way clear to withdraw certain cases which he, General Lawton, had recommended for removal as bad security risks, and that General Lawton replied that he would not do it, let the Secretary—meaning you—take the responsibility.

Secretary Stevens. I have answered that question once, sir, but I

will answer it again if you want.

Mr. Jenkins. For the final time, I ask you.

Secretary Stevens. I say I have no recollection of such a telephone

call.

Mr. Jenkins. Well, Mr. Secretary, do you regard that, if it happened, do you regard it as of vital importance in shedding light on the issues involved in this controversy, you being charged, as you are, by this Senate committee with having tried to impede the progress of the investigation at Fort Monmouth?

Senator Symington. Point of order.

Senator Mundr. He didn't mean by the investigating committee, he meant by certain personnel of the committee.

Mr. Jenkins. I mean the investigating committee, you being

Senator Symington. A point of order, and I would like the ques-

tion read back.

Senator Mundt. The counsel recognizes that he has omitted some words.

Mr. Jenkins. We all know what we mean by that, you being charged by Senator McCarthy, with having tried to stop the investigation at Fort Monmouth, or having tried to impede the progress of it.

Now, in the light of all of that, do you not recognize-

Secretary Stevens. Could I have the question read back? I would like to have that question that Mr. Jenkins asked read back, please. Senator Mund. Counsel has withdrawn the original question and

is restating it now.

Secretary Stevens. I hope the chairman will concede that this can be a bit confusing to a witness now on his sixth day on the stand, and the question is in and then it is withdrawn and I don't know what the question is before me.

Senator Mund. No question is before you and we are starting

de novo.

Mr. Jenkins. The last answer you gave the committee was that you had no recollection whatever of having been informed by Mr. Adams, or anyone else of this conversation in early November, between Mr. Adams, and General Lawton. Now I am correct about that, am I not, Mr. Secretary? Your answer was you had no recollection of it? Secretary Stevens. Are you referring again to the telephone call?

I have answered it twice now.

Mr. Jenkins. Mr. Secretary, please explain what I am referring to. Secretary Stevens. I have answered that question twice, and I hereby answer it the third time. I have no recollection of any such

telephone call.

Mr. Jenkins. All right. In view of the grave and serious charge made against you by Senator McCarthy and his staff, that you tried to stop their investigation of subversives at Fort Monmouth, and tried to impede it, and retard its progress and so forth, would or not you regard such a conversation as I have asked you about, and about which you say you have no recollection, of going to the very heart, and the very core of that issue? Would you or not regard that as such?

Secretary Stevens. I wasn't a party to it, Mr. Jenkins. I wasn't a

party to it, and now can we-

Mr. Jenkins. No; and conversely, it is not claimed, as I read the pleadings, Mr. Secretary, that Senator McCarthy was a party to certain activities and phone calls on the part of Mr. Cohn, and yet you have charged him with it, and it may be that the committee will deem that he is a party to it. I don't know about that. We are talking about your side of this controversy now, on a cross-examination for the purpose of determining whether or not that charge by Senator McCarthy is true or false. And I say, as counsel for the committee, that I regard it as of great importance in shedding light on the truth or falsity of that charge, and ask you if you so regard it.

Secretary Stevens. Well, I think-

Mr. Jenkins. If it happened, and I don't know that it did.

Secretary Stevens. Mr. Jenkins, I think before I could answer that question, I think that we ought to rephrase the whole of the Fort Monmouth situation, and get the whole thing in a proper perspective, without picking out one little incident and making so much out of it, because there is a large, complicated, long story, connected with Fort Monmouth which I have testified to at length and which I will be glad to continue to testify to, affecting security matters there, of which this is one incident that I have no recollection of.

Mr. Jenkins. I am asking you about one isolated fact that allegedly occurred in early November 1953. One isolated fact that you say is a part of the whole pattern. Now, you have testified fully about Fort Monmouth, and my last question is this: If such is the fact, wouldn't you regard it as being of great weight in assisting this committee in determining whether or not you were against the McCarthy investiga-

tion of Fort Monmouth.

Secretary Stevens. I would want to get that in the perspective of the whole picture, before I could answer that question.

Mr. Jenkins. Now, that is your answer, as it stands.

Secretary Stevens. Yes, sir.

Mr. Jenkins. And I am content to leave it there, and the committee will judge of whether or not that is a proper answer.

Secretary Stevens. I would like to, if I may, say this-

Mr. Jenkins. I will ask you this-Mr. Welch. Wait a minute.

Senator Mund. The witness is responding to the question, I believe. Secretary Stevens. I simply want to say in respect to Fort Monmouth, that I wanted the right kind of a job done in ferreting out the security risks. If there was any espionage, it must be eliminated, and if there are poor security risks-

Mr. Jenkins. I must say that is not responsive to my question and we determined this morning to expedite this hearing, and I object

to that answer.

Secretary Stevens. Well, Mr. Jenkins-Senator Mundt. I think if we can limit—

Secretary Stevens. I have a very important point that I think bears

on all of this.

Mr. Jenkins. You may make it because we want every witness to have every conceivable chance to state everything he wants to state, and I am interested also in expediting the hearings. But more important than that is the elucidation and getting the facts and so you

Secretary Stevens. Here is the point. I wanted to get more background for the information of the committee but I will confine it to

this point.

Senator Mundt. You may say anything you want, Mr. Secretary, because we want to get the facts, and time is important but the truth

is more important than time; so go right ahead.

Secretary Stevens. In getting into this matter, I wanted it done by all of our commanders, including the commanding general of Fort Monmouth, with the finest of judgment of which they were capable. I did not want to have a stampede started that would result in the wholesale suspension of people on a basis of guilt by association. I wanted to be sure that the matter was treated in a stable, temperate

way, in fairness to the individuals who were concerned, and I did not want to have any commander, because I was so interested in this subject of ferreting out subversives and security risks, jump to an extreme in his actions which could result in unfairness to any individual employed in the Army. And I think that that is a very important thing.

Senator Munder. Does that conclude your statement?

Secretary STEVENS. That is all at this time.

Mr. Jenkins. Mr. Secretary, I have two other questions. I know

you will be pleased to hear it.

I ask you the specific question now, Did you direct Mr. Adams to make such a request of General Lawton as has been read to you this morning?

Secretary Stevens. If I did not know anything about the telephone conversation or cannot recall it, I cannot recall having given him any

instruction to do it.

Mr. Jenkins. Now, Mr. Secretary, is it your answer to this committee, who will ultimately evaluate your testimony, that such a tremendously important request as is contained in this writing—is it your answer to this committee that you do not remember having directed Mr. Adams to make such a request of General Lawton? Can you answer that yes or no and then explain?

Secretary Stevens. Wait a minute. Can I please have a chance to answer the question in the way that I think will give the committee

the most information?

Senator Mundt. You may answer. May I say that counsel has requested that you answer yes or no and then proceed, but if you

Mr. Jenkins. I think this committee is entitled to a yes or no answer, definitely; and if he wants the question restated, I will restate it. I think this committee is entitled to a yes or no answer and then

such explanation as the Secretary sees fit. I insist that the commit-

tee insist upon that.

Senator Mundt. Read the question. The Secretary may not be able to answer yes or no, in which case I suppose he should tell us that fact, is that right? Certainly on a tremendously vital question like this the Chair would hope we would have a yes or no answer. It is very vital.

Mr. Jenkins. It is my position, Mr. Chairman, that such a question

is susceptible of a yes or no answer.

Senator Mundt. Very well. Let's have the question reread, and the Secretary will endeavor to answer yes or no and give his reasons or explanation.

(The question was read by the reporter.)

Secretary Stevens. I do not recall having made such a request, but—and now I understand I have the right to make myself clear. On the 31st of October I talked with General Back, the chief signal officer, and once again I deeply regret the necessity of going over and over a matter affecting the professional position of one of our fine top officers. I said to General Back that I wanted to be sure that in the carrying out of his duties at Fort Monmouth that General Lawton exercised careful and good judgment and that he did not move so rapidly in the direction of suspension of people at Fort Monmouth without sufficient information on which to justify those suspensions.

I asked General Back, or rather cautioned him, that I was apprehensive that General Lawton might be moving in that direction. I simply took it up with General Back because I was afraid that unfair suspensions might take place at Fort Monmouth, anxious as I was to do the job right, and I wanted always to resolve the question of security or loyalty in favor of the United States. If there was any doubt about it, out.

On the other hand, I did not want to be a party to suspension of

people on the basis of meager or almost nonexistent information.

With that background, Mr. Jenkins, and again referring to your question, it is entirely possible that I might have talked with Mr. Adams. I say that I do not recall it now, but I have given you the background of a conversation that I had with the chief signal officer on the 31st day of October. I think against that background it could be entirely possible that I might have talked to Mr. Adams. I might even conceivably have said, "John, perhaps you had better call General Lawton."

The fact, Mr. Jenkins, that my memory is not precisely clear on this one point after all the hundreds of questions that I have answered here to the best of my ability here in this last week, I do not think is unusual. I simply cannot recall that. But I give you this background because it is entirely possible that some such thing might have happened, and I think with that background you will understand

why it happened.

Mr. Jenkins. Very well.

Now, Mr. Stevens, do you believe that Mr. Adams would have made such a request except at your direction?

Secretary Stevens. It is entirely possible he might have. Mr. Jenkins. Do you know General Lawton personally?

Secretary Stevens. Yes, sir.

Mr. Jenkins. Is General Lawton in your opinion a man of integrity?

Secretary Stevens. Complete.

Mr. Jenkins. Would it assist you now in refreshing your mind so that you could give this committee a yes or no answer if we took a few moments out and let you confer with Mr. Adams, who is sitting at the back of Mr. Welch? Would that be of any value or assistance to you?

Secretary Stevens. Mr. Jenkins, it might be, because of course some-

times you talk with people——

Mr. Jenkins. Then I suggest to the committee, in all fairness to the Secretary, that he be permitted now to consult and confer with Mr. Adams to determine whether or not his mind can be sufficiently refreshed as to enable him to give this committee a definite answer. I think it fair to the Secretary and to this committee.

Mr. Welch. Mr. Chairman?

Senator Mundt. If you want that privilege, Mr. Secretary you may have it.

Mr. Welch, have you a point of order?

Mr. Welch. As counsel for the Army, I am content with the testimony of the Secretary as it now stands, and I suggest that we move on.

Mr. Jenkins. I have no further questions.

Senator Mundt. Is the counsel for the committee content?

Mr. Jenkins. The question is, Is the committee content? Frankly, I am not.

Senator Mundt. You may continue your interrogatories if you have

other questions.

Mr. Jenkins. I think that the Secretary and Mr. Adams should be permitted to confer and then the Secretary be asked that question again, in all fairness to the Secretary and the committee. If he de-

clines to do it, I will not pursue it further.

Senator McClellan. Mr. Chairman, a point of order. I think the suggestion that the Secretary be permitted to confer with Mr. Adams, if he elects to do so, is well taken. The counsel representing the Secretary has said that he is satisfied with the testimony his client has given. I do not think this committee can order the Secretary to confer with Mr. Adams. He is at liberty to make his own statements and to stand on his own testimony as given. If the counsel is satisfied and does not wish his client to confer with Mr. Adams, then this committee has no authority to demand that he do so.

Senator Mund. The Chair agrees completely. He was simply trying to find out from the Secretary whether it was satisfactory with him to let it stand or whether he, despite the advice of counsel, wanted

to confer with Mr. Adams.

Mr. Welch. Could I say, Mr. Chairman, that Mr. Adams is to be a witness here, and I feel that we have probed this to its depths. I might add that I understood from Mr. Jenkins that you had another matter that you wished to inquire into this morning. Is it an appropriate time to have that happen?

Senator Mundt. It is not, because we have some questions to ask, sir.

Mr. Welch. I beg your pardon.

Senator Mundt. Mr. Secretary, are you content to let the question stand where it is, or do you prefer to confer with Mr. Adams? It

is up to you.

Secretary Stevens. Mr. Chairman, I have tried—I think if I wasn't under the pressure here to conserve time—which I understand, and certainly subscribe to—I could give more perspective and background against the whole Fort Monmouth situation, but I hope that the last statement that I made, which indicates the things that were in my mind at the time, will be a background against which this question about Mr. Adams can be considered, because while I have no recollection at this particular time of that particular point, I nevertheless will restate, it is entirely possible, against the background of what I have said, that some such conversation may have taken place, and I think Mr. Adams can testify to it.

Senator Mundt. The Chair was simply endeavoring to find out whether we should suspend now, and you wanted to avail yourself of

the opportunity or not, that is all, or shall we proceed?

Mr. Jenkins. I have no further questions, Mr. Chairman.

Senator MUNDT. The Chair has none.

Senator McClellan?

Senator McClellan. Mr. Chairman, I have no further questions of the witness relating to this inquiry, other than one of a personal nature. I agreed with counsel a while ago that these questions which were being asked are pertinent to this issue, and they are vital to it, as to one part of the issue that this committee has got to try to resolve, but I have observed the Secretary testifying, and he has been under quite an ordeal, and I can well appreciate that in the strain of this ordeal his mind may not be clear upon some things. I do not

know how he feels physically, but if he does feel that he is not in a position, under these circumstances, to give his best judgment and best recollection to the answers to the questions that are now being propounded in view of the fact that he has been on this witness stand for 5 days, I think it is only proper if he would indicate so that the committee give him a rest. I do not know his wishes in the matter, but if at any time—I may say to the Secretary if at any time when he is testifying, if he feels physically exhausted or so mentally weary that he feels his mind is not clear, and he is not able to give the correct answers, or give them completely, if he will so indicate or his counsel will so indicate, I shall move that his further interrogation be deferred and suspended, and that we proceed with something else.

I simply say that, Mr. Secretary, to you in an effort to be completely fair and not to pursue a continuous interrogation of you until such

time as it may be exhausting.

Secretary Stevens. Thank you very much, Senator McClellan. I appreciate that, and I would like to, if I may, talk with counsel for a

moment.

Mr. Welch. Mr. Chairman, the difficulty is, as is so often the case, that of trying to measure the amount of questioning that would follow if the Secretary remained on the stand. He and I would like to see his testimony concluded, and he is not at the end of his physical resources, but he is a tired man, and I confess to a little weariness of my own, and I haven't been doing what he has been doing.

If I could have the assurance of the Senators—meaning Senator McCarthy—that we are substantially at the end of his examination, it should now be concluded. If, on the other hand, Senator McCarthy indicates that there is a prolonged examination still facing him, I think it would be in the interests of truth and justice that this witness should have some rest and some refreshment.

Senator McCarthy. Your question was directed to me, and may I

answer that, Mr. Chairman?

Senator Mundt. I think that the Chair should hear Senator Mc-Carthy if he cares to comment on that point.

Senator McCarthy. I will be glad to try to answer Mr. Welch.

In view of the fact that the Secretary of the Army has made charges and asked for the discharge of two of the most competent Communist fighters I have ever been in contact with, one young man, Frank Carr, who has been more thoroughly smeared than any I know, as a result of the Secretary's charges, I don't think that the Secretary should object to answering my questions. They will be very simple, and I will keep them short so you can understand them.

As to the length of my interrogation, I frankly don't know. depends on what areas are covered by other Senators. As of this time, it would be impossible for me to estimate, except that I will say that I am getting awfully sick of wasting all of this time here.

Senator MUNDT. May the Chair suggest-

Senator McCarthy. I will be as short as possible, Mr. Chairman, but to tell you how many minutes, I feel you will understand that it

is impossible to give you that information.

Senator Mundt. May the Chair inquire of the Secretary, and Mr. Welch—it is now 10 minutes to 12—whether it would be all right to continue on until 12:30?

Mr. Welch. The Secretary has indicated to me that he would like to proceed for some additional time, at least.

Senator Mundt. Senator McClellan?

Senator McClellan. Mr. Chairman, I have no further questions, and I only did this in the interest of being absolutely fair and considerate of the witness. I have no further questions regarding the merits of this controversy at this time. Therefore, I pass, in the hope

we can expedite the proceedings.

Senator Dirksen. Mr. Chairman, let me say to Mr. Welch, that I trust, of course, that no dismay ensue between counsel on either side in this controversy. It has all gone on in the best of temper and the committee, of course, has over and over again reaffirmed its faith in Mr. Jenkins, and his integrity, and his capacity, and I am sure that any observation that you may have made was not meant as a reflection upon Mr. Jenkins, I am sure.

Mr. Welch. I beg your pardon, sir, it was not so intended.

Senator Dirksen. I am sure of that.

Now, Mr. Chairman, I think every day it becomes necessary to restate the purposes of the hearing. I am very frank to say that I have received very substantial amounts of mail, almost evenly divided, I suppose, where it is urged that one should take a rather belligerent

and impartial attitude in this hearing.

I thought this was a subcommittee for one thing, that it was operating under authorization by the full committee, namely the Government Operations Committee of the United States Senate, and that we sat here pursuant to certain allegations that were made and that our responsibility was to elicit the facts as fairly and as impartially as we know how and at long last to develop some findings and a conclusion.

If there is any confusion in the public mind on that point, I want to restate what I conceive to be my own responsibility in the matter, and

that is to do it as fairly and as impartially as I know how.

But, Mr. Chairman, if this is in point, and if it is proper, there are just a few questions that I want to ask which are looking down the road a little bit, because at some point this hearing will conclude—and perhaps that is high optimism on my part—but all things must

ultimately come to an end.

But we must resume our relationships within the framework of Government; Mr. Secretary, you, in the executive branch, and we in the legislative branch. I sincerely hope that those relationships can be felicitously pursued when these controversies are over. So these questions are directed mainly toward that end.

Do you bear any personal animosity toward the Senator from Wis-

consin?

Secretary Stevens. I have the utmost, and most profound respect

for the office of Senator of the United States.

Senator Dirksen. Do you entertain any personal feeling of hostility toward Mr. Cohn, notwithstanding the fact that as has been indicated on occasions, he may have been unduly aggressive?

Secretary Stevens. That is a difficult question.

Senator Dirksen. I know it is, and Mr. Secretary, you don't have to answer it if you don't want to.

Secretary Stevens. I prefer not to. Senator Dirksen. Very well, sir.

Senator McCarthy. Can I have the question read?

Senator Dirksen. I will withdraw the question.

Senator Mundr. The Senator has withdrawn his question.

Senator McCarthy. I have refrained all morning from making any

Senator MUNDT. The chair appreciates that.

Senator McCarthy. Trying to expedite this matter, but I would like to hear the question now which the Secretary says he does not want to answer.

Senator Dirksen. The question has been withdrawn, and since it is not subject to a point of order, Mr. Chairman, I would prefer not to yield unless there is a valid point of order.

Senator McCarthy. A point of order.

Senator Mundr. The Senator prefers to withdraw his question so I suppose it will be withdrawn.

Senator McCarthy. A point of order, Mr. Chairman.

Perhaps I should have been paying more attention when the question was asked, but I was not, frankly, and now I heard the Secretary say he did not want to answer a certain question, and I think that in order to be able to examine him I should know what the question is that he does not want to answer.

Senator Mund. The chair believes that the full report of the proceedings should be available to any of the principals, and you may read back from the point, Mr. Reporter, that the question was asked, including the statement of Senator Dirksen that he withdraws it.

Senator Dirksen. I will have to raise a point of order on myself. Senator McCarthy. Will the reporter mark the place so that I can have it read when I start to examine the witness?

Senator Dirksen. Is it within the framework of our rules that if a question is asked, whether the propounder of the question can with-

Senator MUNDT. He surely can.

Senator Dirksen. I withdraw the question.

Senator Mundr. I thought it was also within the framework of our rules that all principals had a right to know what was going on during the full proceedings. Senator McCarthy states he was not paying attention and didn't know what was going on, and he wanted to know what is in the record.

Senator McClellan. Mr. Chairman, I think as a matter of courtesy to Senator McCarthy, he is entitled to know what question was asked and what question was withdrawn.

Senator McCarthy. I thank the Senator very, very much.

Senator MUNDT. The reporter will start in at that point in the hearing where Senator Dirksen asked the question which he subsequently withdrew and read up to the point where he said he had withdrawn it.

(The question was read by the reporter.)

Senator Mundt. Senator Dirksen? Senator Dirksen. Mr. Secretary, is it the intention of the Department of the Army to cooperate fully with this committee in the future when it resumes its regular functions of ferreting out infiltration and subversive influences in industry, Government, and in the Army?

Secretary Stevens. 100 percent.

Senator Dirksen. If it is found by this committee that the charges may have been well founded, is there in your mind now any remedial or corrective steps that will be taken with respect to these allegations? The basic allegation, as you know, was improper influence in connection with one G. David Schine.

Secretary Stevens. I should think that was a committee matter,

sir, and not for me to express an opinion on.

Senator Dirksen. It would require some steps on the part of the Army as to whether or not they will work out some kind of policy with respect to the various communications that it received by record, by telephone, or otherwise with respect to young men who are in the

Secretary Stevens. That work is going right along, Senator Dirksen, day by day. There is no stop in the flow of that work at all, sir.

Senator Dirksen. Of course, the question envisions this kind of objective: Whether or not a comparable situation may arise in the future, whether corrective steps can be taken or policies laid out whereby it can be avoided.

Secretary Stevens. I think the committee in its good judgment can be most helpful in that area. It seems to me that it is really your

responsibility, sir.

Senator Dirksen. Would you care to comment at this time on what additional steps may have been taken by the Army with respect

to ferreting out subversion and infiltration?

Secretary Stevens. We testified at length on that subject, Senator DIRKSEN, recently before the Armed Services Committee of the Senate. It has all been testified to and it is a matter of record. I would like to say by way of tangible evidence of the aggressiveness of the Army in this field, that we weeded out 170 military personnel between January of 1953 and March of 1954, as security risks which had a loyalty connotation. I consider that record a very real one, a real achieve-

We have not gone into the publicity part of that business for reasons which we think are very good and which I do not want to take the time of the committee now to explain unless you would like to have it.

Senator Dirksen. I have only one other question, Mr. Secretary. It appears in the statement that was filed with the subcommittee by Senator McCarthy on page 19, and it alleges that Mr. Adams was named "for the principal purpose of handling the committee." Have you any comment as to whether that is true or not?

Secretary Stevens. Whose statement was that, Senator? Senator Dirksen. That is a statement that appears on page — or in specification 19, I think, of the statement which Senator McCarthy filed with the subcommittee as a kind of answer to the allegations

made by the Army.

Secretary Stevens. No, sir. I do not have a Department counselor. The previous counselor had returned to his hometown, and I was looking around for a man to take over the job as Department counselor for the Department of the Army. I looked for several weeks and finally appointed Mr. Adams. The Department counselor has many duties, and up until the 4th or the 8th of last September there would not have been any particular liaison required with this committee because that is when the various investigations began as far as I know.

So the answer to that question is that Mr. Adams as Department

counselor has many, many duties, of which one is liaison with this

Senator Dirksen. That is all, Mr. Chairman.

Senator Mundt. Senator Jackson?

Senator Jackson. No questions at this time.

Senator Mundt. Senator Potter?

Senator Potter. Mr. Chairman, in order to expedite the hearings, I have no questions.

Senator Mundt. Senator Symington?

Senator Symington. Mr. Chairman, I would like to have asked some questions. Without legal training, I nevertheless know something about the functions of the Military Establishment. Last evening I asked that the hearing which was referred to by the counsel be given me in order that I could properly study what has come up this morning with respect to some of the relationships of this court with the Pentagon Building. I have not yet had the opportunity, been given the opportunity, to read these hearings, and I hope—if this matter is going to be discussed—as a very unimportant member of this committee, nevertheless very much interested in these proceedings, that I will have the opportunity to look at the hearing in question, especially as I understand that was the agreement last night.

Senator Mundt. Senator Dworshak? Senator Dworshak. No questions. Senator MUNDT. Mr. Welch?

Mr. Welch. No questions.

Senator Mundt. Senator McCarthy or Mr. Cohn or Mr. Carr?

Senator McCarthy. Mr. Stevens, the question has been raised that you are tired after 5 days of questioning. You well may be. I know it is an ordeal to sit there for 3 or 4 hours, day after day, and answer questions. However, as you know, the charges which you and Mr. Hensel and Mr. Adams have made, if true, would result in the jobs, the reputations of the two top men on my staff. Therefore, no matter how tired I may get, no matter how tired you may get, I will have to ask all the questions that I think are pertinent. You understand that?

Secretary Stevens. Yes, sir.

Senator McCarthy. As far as I am concerned, I want to make it clear that if at any time you feel you are tired to the point that you want a recess of an hour or a day, I certainly have no objection to that. You understand that?

Secretary Stevens. Thank you. Senator McCarthy. You said that one of the reasons why you didn't want certain people—I may not be quoting you verbatim, but as best I can remember—certain people suspended or, rather, why you wanted them reinstated at Fort Monmouth-

Secretary Stevens. Will you restate that?

Senator McCarthy. I will start over. As I recall your testimony, you said that one of the reasons why you either objected to certain suspensions or wanted certain people reinstated was because you did not want anyone to lose his job because of guilt by association. Is

Secretary Stevens. I may have used that phrase. I might just as well have used some other phrase. I was trying to convey an idea,

Senator McCarthy.

Senator McCarthy. In other words, some of these individuals were suspended from the secret radar laboratories not because of their own individual actions, but because of their close association with Communists; is that correct?

Secretary Stevens. I don't know whether that is correct, sir. We can get the individual cases out and have them testified to. I don't

have them in mind.

Senator McCarthy. I am not going to ask you take each of the 35 cases. I assume that this matter was of sufficient importance to you as Secretary that you must review all the cases, and that at this time you would know whether or not some of them were suspended because of their close association with either known or suspected espionage agents, either known or suspected Communists. Is that correct?

Secretary Stevens. I read a statement yesterday, Senator McCar-

thy, in connection with the 35 cases. I read that into the record.

Senator McCarthy. Bob, I am not interested in the statement that your counsel prepared for you. I want to know now what you yourself know about this. You have an extremely important job. Of course, you must review all of these cases.

Secretary Stevens. I know the total numbers involved, but I do not follow the details of the individual cases, Senator. I will be glad

to look up any one that you want looked up.

Senator McCarthy. You used the term "guilt by association." You didn't want a man to lose his job because of guilt by association. When you made that statement, did you have in mind that some of these individuals might lose their jobs because of association with Communists? If not, what did you have in mind?

Secretary Stevens. What I had in mind was to try to convey to the

committee, in probably rather tired language-Senator McCarthy. Yes.

Secretary Stevens. The idea that in carrying out this job and doing it right for the American people, and always resolving doubts in favor of the American people, that at the same time we ought not to be unfair or work hardships on individuals unnecessarily.

Senator McCarthy. That is a fine sentiment.

Let me ask you this: My chief of staff, as you know, was head of the FBI subversive squad until the night before he came with my committee, and he quit that job one night and came with the committee the next morning, and for years he was head of that squad.

He produced the evidence, with the help of approximately 200 FBI men, working under him, which resulted in the conviction of the top-string Communists, second-strong Communists; worked on the Rosenberg cases, and on other Communist cases of over the last

couple of years.

And you say you don't want anyone associating with Communists or something to that effect to lose their job because of that association. You indicate that you feel Mr. Carr should lose his jobwhere is the Army specification—Mr. Carr should lose his job because apparently of his association with Senator McCarthy and Mr. Cohn, or rather because he sat silent and did not correct the chairman when the chairman allegedly asked you for improper consideration for some private.

I just wonder if you don't think that Mr. Carr, with his outstanding background should not lose his job because of guilt by silence, if you feel that people handling the topmost radar secrets should not lose their job because they associate with Communists, or is that question too involved?

Secretary Stevens. That is a pretty long question, Senator

McCarthy.

Senator McCarthy. It is rather important, Bob.

Secretary Stevens. Do you think we could have it read back?

Senator Mundt. The Chair will be happy to have it read back

unless the Senator can break it down into shorter segments.

Senator McCarthy. I think I would like to have it read back. And if the Secretary feels he cannot answer it, or it is too long, I will be glad to break it down.

Senator Munder. The reporter will read it back. (The reporter read from his notes as requested.)

Secretary Stevens. I think that that is too much of a question for me.

Senator MUNDT. It is a pretty involved question. Could the Senator from Wisconsin start again?

Senator McCarthy. I would say, Mr. Secretary, at any time, when I ask a question that is too long, and I must confess it is a habit I have of asking rather lengthy questions, whenever I do, if you feel the question is too long, will you call it to my attention, and I will certainly try and break it down.

We will just leave that subject for the time being and shift to an-

other one. I will get back to it.

You said that you felt that General Lawton was a fine, top officer, is that right?

Secretary Stevens. Yes, sir.

Senator McCarthy. What do you have to do, Mr. Secretary, with the promotion of generals, if anything?

Secretary Stevens. That is done by boards, who select generals for

promotion.

Senator McCarthy. Who appoints the board?

Secretary Stevens. The board, sir, is appointed—I appoint the boards.

Senator McCarthy. You appoint the boards?

Secretary Stevens. I get some suggestions from the Chief of Staff. Senator McCarthy. I am very interested in certain promotions that were made and certain individuals who were passed over, especially in view of the fact that you described General Lawton as a fine, top officer, with which I heartily agree. I think he is one of the best Army officers with whom I have ever come in contact. And thank God he had guts or we would not have any success in the Fort Monmouth cooperated with the committee or we would not have any success in the Fort Monmouth hearings.

Now I am concerned about this because of the testimony which will be produced to the effect that Lawton did state that he felt that his cooperation with the committee would kill his promotion. And I find

that something did kill the promotion.

For example, I have a list here, Mr. Secretary, dated October. Let me read the heading: "Permanent brigadier generals, considered for promotion to permanent major general, October 1953."

And this was supplied to us by—could I have the Secretary's attention—this was supplied to us, Mr. Secretary, by your Department.

Some of the names on here who were promoted are rather interesting. And we find Lawton was up for promotion and was passed over, and we find Partridge was up for promotion and promoted. I find Reichelderfer up for promotion and promoted.

When a man was first suspended at Fort Monmouth, his case in the

past would go to First Army Loyalty Board, is that correct?

Secretary Stevens. That is right.

Senator McCarthy. Now, the First Army Loyalty Board found against a sizable number of radar workers on the grounds of loyalty or security, is that right?

Secretary Stevens. I would have to check it up, Senator McCarthy. Senator McCarthy. Would you just ask Mr. Adams, and he knows.

We have talked to him about that a number of times.

Secretary Stevens. Can't Mr. Adams testify on things he knows

about?

Senator McCarthy. You mean you do not know now, despite the importance of the radar laboratory investigation, you do not know that prior to our investigation extending over a number of years, some 35 individuals had been suspended with adverse findings entered by the First Army Loyalty Board; and that 33—and I think these figures are correct, although your Department has refused to give them to me—that 33 were ordered reinstated by the Pentagon screening board, loyalty board, or call it what you may, and ordered sent back to the radar laboratories?

Secretary Stevens. When was this, did you say, Senator?

Senator McCarthy. I don't know the years. This was prior to your—

Secretary Stevens. I am sure it must have been.

Senator McCarthy. Prior to the first part of your administration. Secretary Stevens. I don't recall anything like that since I have been Secretary of the Army, and I don't recall any such action.

Senator MUNDT. Your time has expired.

Secretary Stevens. I would also like if I may to take exception to one thing that Senator McCarthy said, and he said if it hadn't been, as I understood him, General Lawton—and it can be checked on the record—that he would have gotten no cooperation or gotten nowhere at Fort Monmouth.

I object to that violently and General Lawton knows that he had my complete support in this work, and whether General Lawton had been at Fort Monmouth or not the Secretary of the Army would have seen to it that full cooperation would have been forthcoming and something would have been done about it at Fort Monmouth, whether or not Lawton was there.

Mr. Jenkins. Mr. Chairman, may I make this statement?

Senator Mundt. Counsel's time is now here. You certainly may. Mr. Jenkins. In all fairness to the Secretary, I do not think it proper—and I so ruled and advised the committee—to direct an inquiry with respect to Fort Monmouth prior to the installation of Mr. Stevens as Secretary of the Army.

Senator McCarthy. Mr. Chairman?

Mr. Jenkins. Whatever occurred or did not occur in no wise reflects

upon him or adds credit to him.

Senator McCarthy. Mr. Chairman, I think that apparently counseldid not follow the line of question or perhaps he could not foresee

what the purpose is, and I do not blame him for that. This is being pursued to show what happened to a general who was responsible and known to Mr. Stevens, as far as we know, to be responsible for reinstating, sending back to the secret radar laboratories, individuals who had been found unfit by the first loyalty board.

Mr. Jenkins. Mr. Chairman, unless Mr. Stevens is shown to have been a party to that or to have had knowledge if it and acquiesced in it, I advise this committee that it is wholly irrelevant and incompetent.

Senator McCarthy. I will not pursue the point now because my time for questioning has expired.

Senator MUNDT. That is correct.

Senator McCarthy. When I again examine, I will.

Senator Mundt. Mr. Jenkins, have you further questions at this

Mr. Jenkins. No further questions, Mr. Chairman.

Senator MUNDT. The Chair has none.

Senator McClellan?

Senator McClellan. No further questions at present.

Senator Mundt. Senator Dirksen? Senator Dirksen. No questions. Senator Mundt. Senator Jackson? Senator Jackson. No questions.

Senator MUNDT. Senator Potter? Senator Potter. No questions.

Senator Mundt. Senator Symington? Senator Symington. No questions. Senator Mundt. Senator Dworshak? Senator Dworshak. No questions.

Senator MUNDT. Mr. Welch? Mr. Welch. No questions.

Senator Mundt. Senator McCarthy, you have 10 minutes. The Chair suggests to all concerned that after this 10 minutes it will be just about 12:30. Should we recess after this next round of questions? You have 10 minutes. Senator McCarthy, and then we will recess for a good long stretch at noon.

Senator McCarthy. Mr. Stevens, so you are not answering these questions in the dark, I just want to point out the purpose of the questioning. Reichelderfer, I understand, was the predecessor of

General Lawton; is that right?

Secretary Stevens. I think that is so. I would like to be sure of it. Senator McCarthy. There was a rather famous case at Fort Monmouth, was there not, of a young man whose home was searched by military police, and 43 secret, top secret, and other classified documents were found in his home. Do you recall that case or don't you?

Secretary Stevens. Is this working?

Senator MUNDT. Yes.

Secretary Stevens. I remember something about it, Senator.

Senator McCarthy. The question arose as to whether or not General

Lawton should suspend this individual; is that correct?

Secretary Stevens. I cannot remember the name of the individual. As I told you, sir, I will have all these cases testified to, looked up, if you tell me to do so, and within the limits of our presidential directives, we will supply you with the information.

Senator McCarthy. Our committee has furnished you with all of the executive session testimony, has it not?

Secretary Stevens. I do not know. I have not seen it all.

Senator McCarthy. You know it is available, don't you, Bob? Secretary Stevens. I presume that it would be, but I don't personally know that we have it all.

Senator Mundt. Can you turn up the Secretary's microphone a

little bit? He seems to be having difficulty.

Senator McCarthy. I might say, Mr. Secretary, that normally we do not make available to anyone outside of the committee executive session testimony. We did this in this case at your request either personally or through Mr. Adams. Is it also not true that Mr. Adams was allowed to sit in on all executive session testimony, with one exception?

Secretary Stevens. With one very important exception that I

know of.

Senator McCarthy. Yes. Secretary Stevens. That was when General Zwicker testified.

Senator McCarthy. He was excluded when it appeared that he had ordered Zwicker and other officers not to testify. Then Mr. Adams was asked to leave the room, with the hope that they might testify; is that correct?

Mr. Jenkins. Would you put that in the form of a question, please,

rather than a statement?

Senator McCarthy. I said "is that correct?" Secretary Stevens. May I have the question read?

Senator McCarthy. You may.

Senator MUNDT. The reporter will read the question.

(Whereupon, the question was read by the reporter as above re-

corded.)

Secretary Stevens. I don't know, because I wasn't there, Senator McCarthy, why you ejected Mr. Adams, my personal representative and the representative of the Department of the Army, at that hearing. I don't know why you ejected him.

Senator McCarthy. O. K. In any event, with the exception of that hearing, he was present at all other hearings; is that correct?

doors were open to him?

Secretary Stevens. I don't know of my own personal knowledge, but I assume if you say so.

Senator McCarthy. Good. So there is no reason why you shouldn't

know what went on at the hearings, is that correct?

Secretary Stevens. I don't have the opportunity, sir, of reading everything that goes on at every hearing of every committee with which we are connected. I would like to be able to do it.

Senator McCarthy. Yes.

We have Reichelderfer and we have Partridge on the list. Did you know when Reichelderfer was promoted that he had refused to suspend one of the young men who was suspended later by Mr. Lawton, and this individual in question, according to FBI reports which had been sent to your Department, was known to have attended Young Communist League meetings with Rosenberg, that is, the man who has since been executed—

Mr. Jenkins. Mr. Chairman.

Senator McCarthy. Let me finish my question, please. [Continuing: that this man had removed from the laboratories, in violation of all regulations, had in his home some 45 secret and other classified documents; that Reichelderfer refused to suspend him; that Lawton did; and that there was serious objection to Lawton's suspension of this individual?

Mr. Jenkins. That question is incompetent, and I advise the Secretary not to answer it unless the Secretary was in office and promoted

the general to whom Senator McCarthy has referred.

Senator McCarthy. Were you in office in 1953, Bob?

Secretary Stevens. Yes, sir.

Senator McCarthy. October of 1953?

Secretary Stevens. Yes, sir.

Senator McCarthy. Just to refresh your recollection, could I hand you a list of promotions and ask you whether or not you were in office and appointed the Board which passed over the promotions of certain generals and promoted others?

(Document passed to Secretary Stevens.)

Senator McCarthy. The question is: Were you in office at that time?

Secretary Stevens. Senator McCarthy-Senator McCarthy. Could I have that back? Secretary Stevens. Yes.

(Document returned to Senator McCarthy.)

Secretary Stevens. I may need some help from General Young. He is one of the officers that you asked about yesterday, as to why he was here, and I am glad he is here now. He is the G-1, Personnel, Assistant Chief of Staff of the Department.

The fact is—is this a permanent-grade promotion or temporary? Senator McCarthy. The list is entitled "Permanent Brigadier Gen-

erals Considered."

Secretary Stevens. In the case of permanent promotions—and I would like General Young to correct me if I am wrong—I appoint a board, and from there on the action follows by law. In other words, I have no right to change the recommendation of that board for the permanent promotions.

Senator McCarthy. In other words, you select the board, and the board in its discretion decides who should be promoted; is that right?

Secretary Stevens. That is right. Under the law I can't change

Senator McCarthy. We will leave Reichelderfer for a minute and shift to another general who was promoted.

There was a Mr. Partridge before the committee, a General Partridge, while you were present; is that correct?

Secretary STEVENS. That is right.

Senator McCarthy. What was Mr. Partridge's title at that time? Secretary Stevens. He was the Assistant Chief of Staff, G-2, which is Intelligence.

Senator McCarthy. That was Richard C. Partridge?

Secretary Stevens. I don't recall his initials, Senator. I think that is right.

Senator McCarthy. In any event you were personally present dur-

ing his executive testimony?

Secretary Stevens. That is right.

Senator McCarthy. Did you request of the committee not to call him in public session?

Secretary Stevens. Did I request that?

Senator McCarthy. Yes.

Secretary Stevens. I don't know. Didn't he testify in executive session?

Senator McCarthy. I just got through asking you whether you attended the executive session meetings and you said "Yes."

Secretary Stevens. That is right.

Senator McCarthy. So there is no question he did testify in executive session?

Secretary Stevens. He testified in executive session.

Senator McCarthy. My question now is very simple: Did you ask

us not to call him in public session?

Secretary Stevens. Senator, I don't know. I know this: That as a general proposition we are not enthusiastic about having our intelligence people called in public hearings. It would not be an unnatural thing if I did that.

Senator McCarthy. Your memory is so good about Dave Schine's boots and things like that, you should remember about the general. Secretary Stevens. My memory is not good about David Schine's

boots.

Senator McCarthy. I know one of the charges here is that he had his shoes commercially shined.

Mr. Welch. We did not make that charge, Mr. Chairman.

Senator McCarthy. Is this a point of order?

Mr. Welch. It is something or other, Senator McCarthy. You know well we did not make that charge.

Senator McCarthy. The question, Mr. Secretary, is, Did you ask us

not to call Mr. Partridge in public session?

Secretary Stevens. I might very well have done so.

Senator McCarthy. Do you remember that you made the statement that you felt that he had proven himself so incompetent for that job that it would be comfort to the enemy if they could watch him in public session and see how unqualified he was, and that therefore you would appreciate it very much if we would not call him, or words to that effect?

Secretary Stevens. That is a lot of words there, Senator McCarthy,

and I cannot subscribe to them.

Senator McCarthy. There will be testimony, Mr. Secretary, by a number of witnesses on that.

Secretary Stevens. All right.

Senator McCarthy. I don't propose to ask you for a verbatim recollection, you understand; but this matter I am sure is of sufficient importance to you, Mr. Secretary, especially in view of the fact, as counsel points out here in one of our specifications, that you must have searched your memory and you should know now whether or not you asked us not to call Partridge—again I give the substance—because you said he proved himself so incompetent for the job that you intended to remove him anyway and that you felt it would give aid and comfort to the enemy if they could see the type of individuals who were running our intelligence department.

Is that not substantially what you asked us to do?

Secretary Stevens. I may have suggested to you that I would rather not have him called because, I say, we don't like to have our intelligence people appearing in public hearings, and also General Partridge would not have made a particularly good witness.

Senator McCarthy. I know that. Secretary Stevens. There is no question about that. As far as talking about aid and comfort to the enemy, General Partridge is a fine and able soldier, with a long record behind him, and in my opinion would be incapable of doing anything that would give aid and comfort to the enemy.

Senator McCarthy. Let us not twist the words of the question. The question was whether or not you felt it would not give aid and comfort to the enemy, not because of any misconduct on General

Partridge's part, and I think you understand that.

Your statement, I recall, was that you felt it would give aid and comfort to the enemy if they could see the complete incompetence of those handling our intelligence. Is not that substantially what you asked us, Bob?

Secretary Stevens. I have no recollection of that.

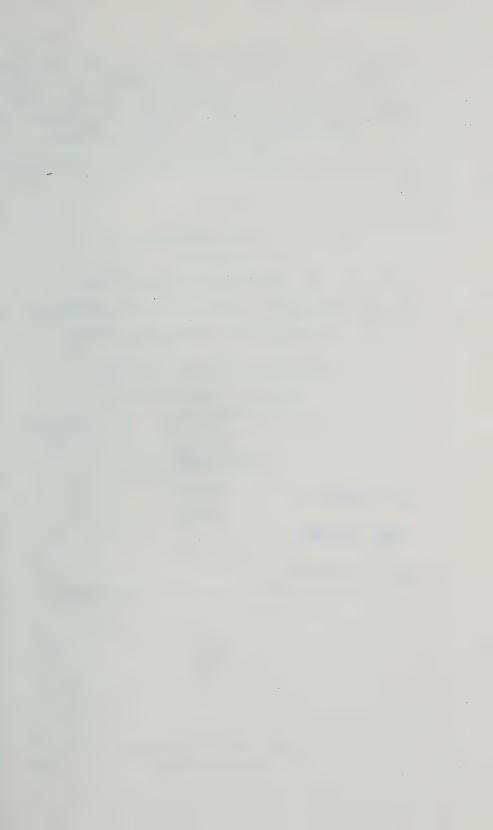
Senator Mundt. The Senator's time has expired and we will stand in recess until 2:30 this afternoon.

(Whereupon, at 12:30 p.m., the hearing was recessed until 2:30 p.m. the same day.)

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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRE-TARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

S. Res. 189

PART 12

APRIL 29, 1954

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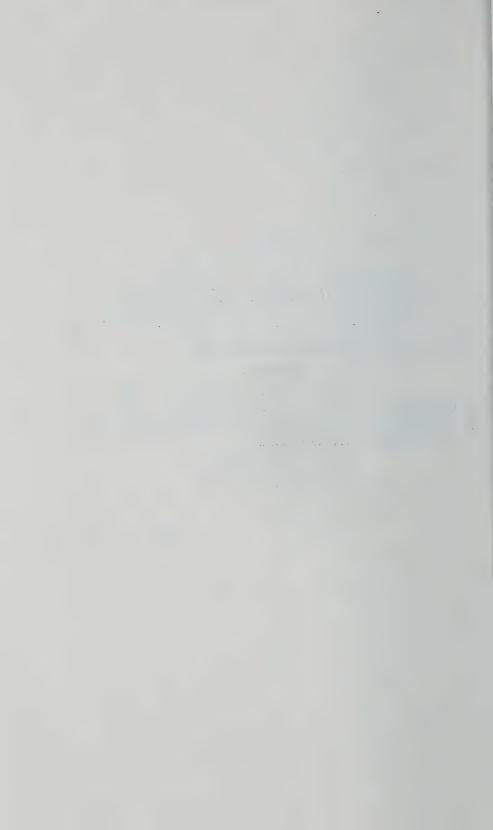
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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

THURSDAY, APRIL 29, 1954

United States Senate,
Special Subcommittee on Investigation of the
Committee on Government Operations,

Washington, D. C.

AFTER RECESS

(The hearing was resumed at 2:40 p. m., pursuant to recess.)
Present: Senator Karl E. Mundt, Republican, South Dakota, chairman; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator Mund. May the Chair say the reason for the slight delay is that we have received word from the floor that they expect a rollcall vote momentarily, and we are trying to communicate with the Senate floor now and find out if that is correct. There would be no use in starting if we are just going to have two or three minutes and then

have a recess again.

We will know in a minute.

(Whereupon, a short recess was taken.)

Senator MUNDT. The committee will come to order.

The Chair would like to announce again that the guests in the committee room are here at the pleasure of the committee, and we are happy to have you here and we ask only one thing, and that is conform to the committee rules and refrain from any manifestations of approval or disapproval during the course of the hearing.

The Chair would also like to announce that we couldn't discover definitely whether the Senate is about to vote or not. A Senator is concluding a speech, and that is a little bit indefinite. So we think we had better start in because sometimes it takes as long for a Senator to conclude a speech as it does to go around with a round of questions.

I will ask counsel to proceed.

Mr. Jenkins. Mr. Chairman, I desire to make this public announcement. Secretary Stevens has been on the witness stand as I recall now some 6 days. It is evident that he is somewhat exhausted. The committee feels that out of deference to the Secretary and to the fact that he has been subjected to an examination and cross-examination for such an inordinately long time—in view of that fact, and in view of the fact that it is the wish of the committee that a question which arose either yesterday or the day before, to wit, with respect to a photograph introduced of the Secretary and Private Schine should be settled; and in view of the further fact that Mr. Welch not only, as I understand it, concurs with us in our decision to have the Secretary stand aside, but requested that we do so for the reasons that I have stated, we have decided to ask Mr. Stevens to stand aside and now introduce proof with respect to the photograph of November 17.

With this further understanding—and I desire to emphasize this—that no witness put on with respect to any of the circumstances with reference to the taking of that picture, or to the picture introduced as an exhibit, shall be examined or cross-examined by any member of the committee or any counsel on any matter save with respect to the photograph, the circumstances under which it was taken, and the introduction of the photograph; and that I may, with all due deference to the members of this committee, interpose an objection if any of

the members of the committee get off the reservation.

Senator McClellan. A point of order. Senator Mundr. Senator McClellan.

Senator McClellan. I suggest one modification: That any witness who testifies is subject to cross-examination with respect to his credibility on any issue.

Mr. Jenkins. I think that is elementary, because that is one of the issues of the controversy, and Senator McClellan, I agree that that

would be a proper subject of inquiry.

Senator Mund. The Chair would construe that to be a relevant line of cross-examination.

Senator McCarthy. Mr. Chairman.

If I may have attention of counsel on this also, may I say that I have no objection whatsoever to Mr. Stevens stepping aside, if this is upon the request of his counsel on the basis that the Secretary is weary or tired and wants a rest.

I would strenuously object to breaking into his testimony for any other reason. I think that any witness at any time—and the Secretary has been here for a long time—who, through his counsel says, "I am tired and I want a rest, and I want a recess," then I would make no objection. If it is for any other reason, then I would say it is highly improper to break into the testimony because I was right in the middle of my questioning.

Mr. Welch. Mr. Chairman, I do not make any such request, and Mr. Stevens wanted me to make it entirely clear that he is a member

of the Army, and that he would go forward if the committee required

I was told by Mr. Jenkins this morning that it was his intention to go into the picture incident almost at the opening of this morning's session, and I then gave my consent to that change. That consent,

Mr. Jenkins, still stands.

I am not unmindful of the fact that putting that testimony on will give Mr. Stevens a little respite automatically, but he would not, however, permit me to ask for quarter. He would prefer to go on rather than see any signal flag go up of any lack of courage on his part.

I think it is clear, therefore, that if required he will go on, but I

admit as his counsel I am prepared to have the interruption.

Mr. Jenkins. I will state publicly that I feel it should be done, and the committee this morning in an executive session voted as I recall to follow the procedure that I have now suggested.

Senator Mundr. It was not done by a vote, but it was done by gen-

eral agreement. Senator McCarthy?

Senator McCarthy. Mr. Chairman, there is only one reason on earth why we should break the usual rules we are following, and that is if a witness at any time feels that he wants a rest, he should have it.

I may say that I have no personal sympathy for this particular witness. He has initiated the charges asking for the wrecking of the reputation and the jobs of my two top men in my committee. have many questions to ask him about that.

Now, to break this up, Mr. Chairman, and to violate the rules that were adopted some time ago would be, I think, a mistake, unless the Secretary wants a rest and that is no disgrace. I frankly would like

one myself.

Unless he wants a rest I don't think we should dismiss him from

the stand.

Senator Munder. The Chair is prepared to undertake, on his own responsibility, to say that he believes that Secretary Stevens has earned a little temporary respite, having been subjected to questioning for a long time.

Secondly, the rule of the hearings is that the counsel is to put on the evidence in the order that he deems to be best and most judicious. And he has asked that this evidence be introduced at this time.

Senator McCarthy. Mr. Chairman-

Senator Mundt. We will be glad to hear you.

Senator McCarthy. I don't want, Mr. Chairman, to take up too much time on this. But let me say this: That the rule was, the rule that was adopted, that whenever a witness was on the stand we would alternate 10 minutes for each man available, until the witness' testimony had been completed.

Now, to break up his testimony for other witnesses, I think is a

complete violation of that rule.

May I say, Mr. Chairman—let me say this. That one of the reasons, as the Chair knows, why I consented to retire from the committee and appoint someone in my place was that I had the assurance that there would be no change in the ground rules during the hearing. Otherwise I would not have absented myself from the committee.

I just think—Mr. Jenkins, could I have your attention, too—the reason I want the attention of counsel and the reason I ask for the

attention of counsel—

Mr. Jenkins. I beg pardon.

Senator McCarthy. I think he is one of the best lawyers we have here, and I think he is completely fair and doing a good job.

Mr. Jenkins——

Mr. Jenkins. Let that point go in the record, Mr. Chairman.

Senator McCarthy. May I say, to end my argument: That you are changing the ground rules in the middle of the game. And we had an agreement not to do that. I would do that if Mr. Stevens is tired or weary; otherwise, we have a man on the stand who has made the most grievous charges against the reputation and the integrity of my committee and he should not be allowed to step down merely for the purpose of regrouping his forces and discussing the matter with counsel.

Senator Jackson. A point of order, Mr. Chairman.

Senator Mundt. May the Chair say, unless Senator McCarthy is laboring under some misapprehension, that it has not been proposed by counsel that Secretary Stevens be permanently dismissed from the witness stand or that he be deprived of all of his rights as guaranteed under the rules to ask the questions that he wants to ask, under the regular 10-minute rule, until all questions are concluded.

Senator Jackson. A point of order—

Senator McCarthy. Mr. Chairman, may I finish?

Senator Jackson. Who is recognized?

Senator Mundt. The Chair will recognize Senator McCarthy, or

either one, or whoever addressed the Chair first.

Senator Jackson. I make this point of order: It is my understanding that the reason why evidence is now to be or testimony is now to be requested by the counsel is because of the incident that occurred on Monday, with reference to a photograph that had been given to the counsel.

I assume that it is always in order, in order to properly question the witness in this case, that if evidence is introduced which was not as represented that we have a right to have that information before the

witness finally steps down from the witness stand.

I see no change in the rules. And I assume that a point of order properly lies against any suggestion that he should step aside necessarily because of weariness. I would insist regardless, and I have insisted, as you know, from the beginning that we clear up this photograph.

Senator Munder. The counsel, under the rules of procedure, has control of the manner in which the evidence is to be introduced. And

I will be glad to hear on a point of order.

Senator McCarthy. Mr. Chairman, one of the reasons why I may appear to be insistent is that I don't like to set a precedent. I stepped off the committee temporarily after certain ground rules were agreed to by me and the committee, and we agreed unanimously.

And I said as long as we follow those ground rules I would not act as a member of the committee. And one of the ground rules was that when a witness was on the stand, everyone on the committee, counsel for all parties concerned, would have an opportunity to exhaust

their examination before he left the stand. That is the rule.

Now, if there is something of tremendous importance, we have got to break into this for, or, as I say, if the Secretary is tired; otherwise, Mr. Chairman, I think that we are setting a dangerous precedent.

Let me ask you this, Mr. Chairman: I understand now that you intend to put in evidence about a picture of Mr. Stevens and Mr. Schine. Could I ask, are all of the pictures that have been ordered from the military photographers available? If not, that is another reason why we should not go into this thing piecemeal.

Senator Mundr. Counsel tells me that he is prepared to introduce

the testimony in connection with the picture; is that correct?

Mr. Jenkins. In connection with the picture that was filed as an exhibit to the Secretary's testimony earlier this week.

Senator Symington. A point of order.

Mr. Jenkins. Under date of November 17. With respect to that matter only.

Senator Mundt. Senator Symington?

Senator Symington. It is now nearly 3 o'clock. Therefore, 25 percent of the hearing has gone. So far we haven't done anything.

Senator Mundt. The Senator will state his point of order.

Senator McCarthy?

Senator McCarthy. Mr. Chairman, may I say that I am willing to leave it up to the judgment of counsel. I withdraw my objection and leave it up to the judgment of counsel.

Senator Mundt. Very well. The judgment of counsel is that we shall proceed with the testimony on the pictures, and Secretary Stevens will step down and counsel will call the first witness.

Mr. Jenkins. Mr. Chairman, I desire to call as the first witness

Pvt. G. David Schine.

Senator Mundt. Will you stand and be sworn, please?

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Private Schine. I do.

Senator Mundt. You may be seated.

Mr. Jenkins will inquire.

Will the photographers please be seated?

TESTIMONY OF PVT. G. DAVID SCHINE

Mr. Jenkins. Will you please state your name in full?

Private Schine. Gerard David Schine, sir.

Mr. Jenkins. Where are you now stationed, Private Schine?

Private Schine. I am stationed at Fort Myer, sir.

Mr. Jenkins. You are in the Army?

Private Schine. I am, sir.

Mr. Jenkins. Mr. Schine, I want to make this statement to you at this time. I think it is proper. The inquiry of you at this time will be confined to one subject only. If you are asked any question with respect to any other issue or controversy in this lawsuit, in this controversy, I respectfully ask you not to answer it until I shall have had time to interpose an objection.

Private Schine. Yes, sir.

Mr. Jenkins. The inquiry is directed to a photograph allegedly taken of you, Secretary Stevens, and/or perhaps others.

Senator McClellan. Mr. Chairman.

Senator Mundt. Do you have a point of order?

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Senator McClellan. A point of order, in the nature of a point of

I should like to ascertain before proceeding with the witness whether the witness has been advised of his right to have counsel present, and if he desires to have counsel present at this time.

Senator MUNDT. The Chair sustains the point of order. Will coun-

sel interrogate the witness on that point?

Mr. Jenkins. Mr. Schine, do you understand that it is your constitutional right and your right according to the rules of this committee, permanent subcommittee, that you have a right to have counsel present to advise you from time to time during the course of your

Private Schine. Yes, sir.

Mr. Jenkins. Do you desire to avail yourself of that right?

Private Schine. I have no counsel with me, sir.

Mr. Jenkins. Do you desire counsel with you for the purpose of conferring and receiving his advice during the inquiry on this particular subject?

Private Schine. I believe I can answer the questions regarding this

particular subject without counsel, sir.

Mr. Jenkins. Please state where you were on November 17, 1953?

Private SCHINE. What date was that, sir?

Mr. Jenkins. November 17. To call to your mind specifically what I have in mind, the day you allegedly were photographed with the Secretary of the Army and perhaps others.

Private Schine. I was at Fort Dix, N. J., sir.

Mr. Jenkins. Please tell the committee whether or not you were photographed on that day together with others?

Private Schine. I was, sir.

Mr. Jenkins. Under what circumstances—did you see the Secretary of the Army on that day?

Private Schine. Yes, sir.

Mr. Jenkins. How did he arrive at Fort Dix, by what method of transportation?

Private Schine. In an airplane, sir.

Mr. Jenkins. Is there a landing field at Fort Dix, or is there an airport near Fort Dix?

Private Schine. There is one adjoining Fort Dix, sir. Mr. Jenkins. Do you recall the name of the airport?

Private Schine. McGuire Air Force Base, sir.

Mr. Jenkins. Do you remember the incident of the Secretary arriving by plane on November 17 at McGuire Air Base?

Private Schine. Yes, sir.

Mr. Jenkins. Were you at McGuire Air Base when the plane arrived transporting the Secretary?

Private Schine. I was, sir.

Mr. Jenkins. Will you tell the committee the circumstances under which you were at the airbase while you were there?

Private Schine. I was ordered to be there, sir.

Mr. Jenkins. By whom? Private Schine. By the commanding general of the base, sir.

Mr. Jenkins. State his name?

Private Schine. General Ryan, sir.

Mr. Jenkins. General Ryan ordered you to be at the McGuire Air Base to meet the plane transporting the Secretary of the Army?

Private Schine. Yes, sir.

Mr. Jenkins. Did you know or were you advised by General Ryan who the passengers were on that plane?

Private Schine. No, sir.

Mr. Jenkins. Do you know why General Ryan ordered you to meet the plane?

Private Schine. Do I know now, sir?

Mr. Jenkins. Yes. Did General Ryan tell you why you were to

meet the plane?

Private Schine. I believe he told me, sir, that some of the Senate Investigations Committee staff, Senator McCarthy, and Secretary Stevens, were coming to see me, sir.

Mr. Jenkins. Do you recall the hour of arrival of the plane?

Private Schine. It was right after retreat, sir. Mr. Jenkins. That would be about what time?

Private Schine. I believe about 5:30 or a quarter of six, sir.

Mr Jenkins. Still daylight? Was it still daylight?

Private Schine. I believe it was just entering the evening, sir.

Mr. Jenkins. Who was on the plane?

Private Schine. Senator McCarthy, sir, Roy Cohn, Frank Carr, Secretary Stevens, John Adams, and there might have been 1 or 2 other staff members there.

Mr. Jenkins. Mr. Schine, state whether or not on that occasion you were photographed?

Private Schine. I was, sir.

Mr. Jenkins. I want you, without my asking you the specific questions—first of all, I want to state this: Do not state at whose request you were photographed. That is not a proper subject of inquiry at this time. I want you to state all other circumstances under which

this time. I want you to state all other circumstances under which you were photographed and with whom you were photographed. You may proceed.

Private Schine. I was asked to come over and stand in a certain spot next to a certain individual, sir.

Mr. Jenkins. You asked to?

Private Schine. I was asked to, yes, sir.

Mr. Jenkins. I will not ask you by whom, but as a result of that request, what did you do?

Private Schine. I obeyed, sir.

Mr. Jenkins. With whom were you photographed?

Private Schine. I was photographed with the Secretary of the Army.

Mr. Jenkins. Mr. Stevens? Private Schine. Yes, sir. Mr. Jenkins. Very well.

Private Schine. And Colonel Bradley was standing in the picture, too, sir.

Mr. Jenkins. Who took the photograph?

Private Schine. An Air Force photographer, sir.

Mr. Jenkins. Do you know the name of the photographer who took it?

Private Schine. I do not, sir.

Mr. Jenkins. As a result of that occurrence, what, if anything, did

you do with respect to the photograph or the negative?

Private Schine. After the photograph was taken, sir, as soon as I was able to I went over to the Air Force photographers—I believe there were at least two—and I quietly asked them if they would be good enough not to publish the photograph anywhere, that I had had to pose for it upon request, that of course I would like to have a copy of it but I would appreciate it very much if they would not sent it to any publications.

Mr. Jenkins. Was it not sent to any publication as far as you

know?

Private Schine. As far as I know, it was not, sir.

Mr. Jenkins. Were you given at a later date this photograph?
Private Schine. Yes, sir. I believe it arrived at my office in New York through the mail.

Mr. Jenkins. Do you know who sent it?

Private Schine. I understand it came from the Air Force photographer, sir.

Mr. Jenkins. The one who took the picture? Private Schine. It is from him or his office, sir.

Mr. Jenkins. Mr. Schine, do you have an office in New York City?

Private Schine. I do, sir.

Mr. Jenkins. I will ask you whether or not the photograph I now hand you for inspection is the one sent to you by the photographer. [Photograph exhibited to Private Schine.]

Private Schine. Yes, sir.

Mr. Jenkins. What did you do with that photograph, Mr. Schine? Private Schine. I asked the office to have it framed and put on the wall in my office.

Mr. Jenkins. I hand you now a frame and ask you to examine it and state whether or not that is the frame in which the photograph you have before you was framed and hung in your office.

Private Schine. It looks like the frame, sir.

Mr. Jenkins. When was the photograph taken from your office? Private Schine. It was on Thursday morning, sir, or possibly before that.

Mr. Jenkins. Of last week? Private Schine. Yes, sir.

Senator Munder. Photographers, we had an agreement worked out, perhaps you were not here, that the photographers would take their pictures from a sitting or kneeling position, and not because it inconveniences the committee so much, but in fairness to the television people. We have received a great many complaints about photographers bobbing up in front of the telegraphic lenses.

As an old photographer, I am sure you don't want anybody to get

between you and the subject of the camera.

Mr. Jenkins. State whether or not, on one day last week, you were in the office—being office No. 101, as I recall, in this building—with Mr. Cohn and perhaps with Mr. Carr, and perhaps others, at which time I was present and you were present; and at which time I was questioning Mr. Cohn and others present with reference to the facts of their case preparatory to presenting their case to the committee? Were you there on such an occasion?

Private Schine. I was, sir.

Mr. Jenkins. Do not say what was said, please, but state whether or not on that occasion I was told by both Mr. Cohn and perhaps others and you who requested the taking of that photograph. Now, you can answer that "Yes" or "No." Was I told that?

Private Schine. Yes, sir.

Mr. Jenkins. Do you recall that in consequence of that information which was impaired to me at the time I made inquiry as to whether or not the photograph was in existence?

Private Schine. Yes, sir.

Mr. Jenkins. And was told that it was in your possession, and hanging in your office, in New York City?

Private Schine. Yes, sir.

Mr. Jenkins. And did I request that the photograph be furnished to me to be presented as evidence in this case?

Private Schine. You did, sir.

Mr. Jenkins. In consequence of that, what did you do, just follow the steps you took in complying with my request and getting that photograph to me?

Private Schine. I got in a taxicab, sir, and I went to the airport and got on the first plane I could, and I went to New York to get

the thing you requested, sir.

Mr. Jenkins. Did you bring it back to Washington?

Private Schine. I did, sir.

Mr. Jenkins. To whom did you deliver it?

Private Schine. I delivered it to Mr. George Anastos, a member of the staff.

Mr. Jenkins. Is the photograph that you delivered to the gentleman whose name you have called, the identical photograph now before you?

Private Schine. When I took it from my office in New York, sir, it was wrapped in brown paper, and I did not open it between the time I left New York and the time I handed it to Mr. Anastos, sir.

Mr. Jenkins. But is the photograph you have before you now the one that you took from the frame in your office in New York City?

Private Schine. Yes, sir.

Mr. Jenkins. And is that the one that you delivered to the gentleman whose name you mentioned?

Private Schine. Yes, sir.

Mr. Jenkins. Have you seen the photograph since then, until oday?

Private Schine. No, sir.

Mr. Jenkins. Did you see a photograph—and may I ask for it now?

Mr. Schine, I now pass to you a photograph purporting to be a photograph of you and the Secretary of the Army only, and entitled at the head "McGuire AFB, Fort Dix, November 17, 1953," and I will ask you whether or not you have ever seen that particular photograph until now?

(The picture referred to was passed to the witness.)

Private Schine. Yes, sir, I have seen this published in newspapers, I believe, sir.

Mr. Jenkins. Since the original was delivered to the office here in Washington?

Private Schine. I have never seen this print, sir. I have seen copies of this in the newspapers, sir.

Mr. Jenkins. Those were newspaper pictures of that photograph

which have occurred in the last few days?

Private Schine. That is right; I have never seen this.

Mr. Jenkins. But you have never seen the original that I now hand you and the one that I offered as evidence in this case a few days ago; is that right, Mr. Schine?

Private Schine. That is right, sir.

Mr. Jenkins. Do you have any knowledge of any of the circumstances—strike that.

Looking at the original photograph, who is the man on your immediate right, as shown in that photograph?

Private Schine. That is Colonel Bradley, sir.

Mr. Jenkins. Do you have any knowledge of the circumstances under which—

Senator Mund. I think we are going to have to do something about these photographers and do it now. We have tried to be as lenient as we can, but we cannot permit the hearings to be interrupted by

disorderly behavior on the part of the photographers.

There will be no more climbing on chairs, and no more running around in front of the witnesses. We have asked you as courteously as we can and we had your assurances that you would live up to the rules of the committee. Now, we can go no further, and I will tell the young man who is the president of this group with whom we have worked, and with whom the photographers have cooperated with us very well up to this time, this type of thing is out. From now on the photographers will be governed accordingly.

Mr. Jenkins. Mr. Schine, do you have any knowledge of the circumstances under which the picture of Colonel Bradley was omitted,

or taken from the original photograph?

Private Schine. Only through reading the testimony, sir.

Mr. Jenkins. You were not there when such a thing was done, if it was done?

Private Schine. No, sir.

Mr. Jenkins. You have read the testimony you say?

Private Schine. I believe I have.

Mr. Jenkins. The stenographer's transcript of the testimony?

Private Schine. I have read some of it.

Mr. Jenkins. That is the only basis of your knowledge?

Private Schine. Yes, sir.

Mr. Jenkins. You did not do it yourself, is that what we understand, Mr. Schine?

Private Schine. I did not do it myself, sir. Mr. Jenkins. You saw no one else do it?

Private Schine. No, sir.

Mr. Jenkins. No further questions.

Senator Mundr. The Chair has no questions at this time, and will

pass temporarily. Senator McClellan.

Senator McClellan. I have only one question, Mr. Schine. That picture that has been made an exhibit in this testimony, the large one now before you, from your recollection or from your knowledge can you say any such picture was ever taken of you and Secretary Stevens except in the group picture which you have identified?

Private Schine. I don't know, sir, how many pictures the Air Force photographers took, but this picture is the one that I received.

Senator McClellan. That is the picture you have received?

Private Schine. Yes, sir.

Senator McClellan. I am asking the question if at any time, to your knowledge, did the Air Force or anyone else ever take a picture of you and Secretary Stevens alone?

Private Schine. I really wouldn't know, sir.

Senator McClellan. That is all. Senator Mundt. Senator Dirksen?

Senator Dirksen. Just one question. To whom was the photograph delivered, the one that you brought down from New York?

Private Schine. I delivered it to Mr. Anastos, sir. Senator Dirksen. Would you spell it, please.

Private Schine. A-n-a-s-t-o-s. Senator Dirksen. A-n-a-s-t-o-s?

Private Schine. Yes, sir.

Senator Dirksen. You said he was a member of the staff?

Private Schine. Yes, sir. Senator Dirksen. Thank you. Senator Mundt. Senator Jackson?

Senator Jackson. Private Schine, you went to New York on what day to get the picture?

Private Schine. I went on Wednesday evening, sir. Senator Jackson. Wednesday—how long ago?

Private Schine. Last Wednesday, sir. Senator Jackson. A week ago yesterday?

Private Schine. The day before the hearings began, sir.

Senator Jackson. That was as a result of the conference that Mr. Jenkins has inquired about in the office in room 101 of the Senate Office Building?

Private Schine. That was at the request of Mr. Jenkins, sir.

Senator Jackson. Who went with you on the trip?

Private Schine. Nobody, sir. Schator Jackson. You went alone?

Private Schine. Yes, sir.

Senator Jackson. Your picture was on the wall in your office in New York?

Private Schine. No, sir, it was wrapped up ready for me to bring back to Washington.

Senator Jackson. How did it happen to be wrapped up to bring

Private Schine. I had called the office and asked them to have it ready.

Senator Jackson. Had it been on the wall? Private Schine. It had been on my wall, sir.

Senator Jackson. When did you take it off the wall?

Private Schine. I really do not know when the staff took it off the wall, sir.

Senator Jackson. Your office staff. They took it off as a result

of your telephone call?

Private Schine. I really do not know, sir. I do not know when they took it off.

Senator Jackson. I mean, had this picture been on your office wall when you were last in your office in New York? How long ago was

Private Schine. It was not on my wall when I was last in New York, sir.

Senator Jackson. When was that?

Private Schine. That was-

Senator Jackson. A week ago yesterday?
Private Schine. No, sir. This was last weekend, sir.
Senator Jackson. When did you ask that the picture be taken
off your office wall? Was that a week ago yesterday?
Private Schine. When did I ask that it be taken off the wall, sir?

Senator McCarthy, Mr. Chairman? Senator Mundt. Senator McCarthy.

Senator McCarthy. I do not want to spend time on a point of order, but what difference does it make when the picture was taken off the wall?

Senator Mund. The Senator may have something in mind, and he has the right to ask the question as long as it is within the purview outlined by counsel.

Senator Jackson. I think it is entirely relevant in view of the

testimony previously given by Mr. Cohn.

Senator Mundt. The Senator will proceed.

Senator Jackson. When did you ask that it be taken down from your office wall?

Private Schine. I do not recall, sir.

Senator Jackson. Do you have any idea? Was it in connection with the procurement of the picture for introduction in evidence in this hearing?

Private Schine. Do you mean, sir, did I ask that it be taken off the wall immediately following Mr. Jenkins' request that I produce

the picture?

Senator Jackson. Yes.

Private Schine. The answer is, no, sir.

Senator Jackson. When was it taken down from your office wall?

When did you ask, approximately?
Private Schine. I have no idea, sir. I have been stationed at Camp Gordon, Ga., for 3 months, or more, and I have not been in my office during that period. I do not know when it was taken off the wall, sir. Senator Jackson. You did request that it be taken off the wall?

Private SCHINE. I did not request that it be taken off the wall.

Senator Jackson. You did not?

Private Schine. No, sir.

Senator Jackson. When you came back, you delivered it to Mr. Anastos of the committee, and it was wrapped up in brown paper? Private Schine. Right, sir.

Senator Jackson. That is the last you saw of it? Private Schine. Right, sir. Senator Jackson. That is all. Senator Mundt. Senator Potter?

Senator Potter. I have no questions. Senator Mundt. Senator Symington?

Senator Symington. Just one question, Mr. Schine. You say a picture was taken of you and Colonel Bradley and Mr. Stevens?

Private Schine. This picture, sir [indicating]. Senator Symington. Who else was in the picture?

Private Schine. I see only three people, sir.

Senator Symington. The blown-up picture we had, had the hat and coat of a fourth. Do you happen to remember who that was?

Private Schine. No, I do not, sir. I remember that they snapped several pictures, and I believe that this was one of the first ones they snapped after I had been asked——

Senator Mundt. I am sorry, the last bell was the vote, so we will have to stand in recess for perhaps 15 minutes while the Senators go

and vote.

(Brief recess.)

Senator Munder. The committee will come to order, please.

Senator McCarthy. Mr. Chairman, is one of my few points of order in order?

Senator Mund. The Senator will state it briefly, please.

Senator McCarhy. I have reason now to believe that the picture which was sent to Mr. Schine and part of which was introduced in evidence the other day, is entirely different from the picture presented by the Army, which Mr. Stevens and Mr. Adams blew up and presented to us as the complete picture. If so, this a tremendous imposition upon Mr. Jenkins, the counsel.

I would like at this time—may I say, Mr. Chairman, while normally this would not be a point of order, it is the type of point of order Mr. Welch made, so I think following precedent I should make it. I think at this time we should have presented the complete

picture sent to Mr. Schine and the blowup which—

Senator Mundt. The Chair is ready to rule on the point of order. The counsel advises the Chair he is going to introduce all the pictures at the proper time, but now Senator Symington is part way through his 10 minutes, so we will go back to Senator Symington. All the information on the pictures, all the prints, everything will be introduced.

Senator Symington, you had consumed about a minute.

Senator Symington. Mr. Chairman, I wanted to say the picture which I got off the desk did not have, to the best of my sight, in it the arm and the hat that was in the second picture. So it may well be that we have a third picture here. That is the reason I asked the question.

I have no further questions at this time.

Senator Mundt. Senator Potter, I believe, is next.

Senator POTTER. I have no further questions.

Senator McCarthy. Mr. Chairman.

Senator Mundr. We will get to you in a minute. Have you a point of order?

Senator McCarthy. Yes, Mr. Chairman.

If it develops that Mr. Welch or Mr. Adams or Mr. Stevens presented a picture, a blowup of a picture which was not a blowup of the picture which was presented in evidence, then will we have everyone involved called, the same as was suggested before?

Senator Mundr. Yes, indeed. The Chair will repeat himself. We are going to get everybody in connection with that picture who can

shed any light upon it to testify. We want to get the truth. I think everybody does. Nobody knows the answer to it at the moment.

Senator Potter had no questions. Senator Symington was last on that side. Is Senator Dworshak in the room? (No response.) I cannot see in the light. He is on the way back from the rollcall.

Mr. Welch?

Mr. Welch. Private Schine, as I followed your testimony, when

vou were informed at-

Senator Mundt. Mr. Welch, will you keep your face toward the mike? We missed that. Will you repeat it, please? This will not be out of your time.

Mr. Welch. Mr. Chairman, I have a habit of looking at a witness when I examine him. It causes me to turn away from the microphone,

but I hope I have cured that situation.

Senator Mundt. Thank you.

Mr. Welch. Mr. Schine, I noticed when you testified that you heard that someone was coming on the plane to see you, that you named the people coming in this order: Members of the staff, Senator McCarthy, and Secretary Stevens.

It is a good deal to suggest that you remember the order in which you stated those that were arriving, but will you agree with me if I tell

you that you stated them in that order?

Private Schine. No, sir, I don't recall the order I stated the list of

people in, sir.

Mr. Welch. When you described their arrival you described them in this order: Senator McCarthy, Mr. Cohn, Mr. Carr, Secretary Stevens, and Mr. Adams. Do you remember placing the arrival in that order?

Private Schine. I can't recall exactly the order I used, sir.

Mr. Welch. If I suggest to you, sir, that you did name them in that order, would you agree with me that I was correct?

Private Schine. No, sir.

Mr. Welch. As you think over the group now, do they come to your mind in roughly that order: Senator McCarthy, Cohn, Carr, Stevens and Adams?

Private Schine. No. sir.

Mr. Welch. After the photographs were taken, you made an oral request that the person that took them should not publish them; is that right?

Private Schine. I did, sir.

Mr. Welch. And you made a written request, also, did you not? Private Schine. I don't recall having made a written request, sir.

Mr. Welch. Did you say you did or didn't? Private Schine. I would say I didn't, sir.

Mr. Welch. Is there someone from the Air Force here with a letter signed by this witness in connection with the questions I am now asking?

Mr. Jenkins. Mr. Welch, I have before me a letter dated November 24, 1953, signed by G. David Schine, which was passed to me today and addressed to Public Information Officer. Is that the letter about which you are making inquiry?

Mr. Welch. I judge it is, sir.

Mr. Jenkins. I shall be very glad to deliver it to you. Senator McCarthy. Could I see that, Mr. Counsel?

Mr. Jenkins. Do you think it proper that Senator McCarthy see it first, Mr. Welch?

Mr. Welch. I think it proper that he should see it.

(Document referred to was passed to Senator McCarthy.)

Senator MUNDT. Time out while we are examining the document.

Senator McCarthy. Mr. Chairman. Senator Mundt. Senator McCarthy.

Senator McCarthy. I agree with Mr. Welch this should be put in evidence but I think first it should be established who signed the letter, whether Mr. Schine or his secretary.

(The committee examined the document.)

Senator MUNDT. Will you pass this on to Mr. Welch, please?

(Document referred to was passed to Mr. Welch.)

Mr. Welch. Private Schine, I show you a letter, or what purports to be a letter, on the letterhead of the United States Senate, Committee on Government Operations, purporting to be dated November 24, 1953, carrying in the lower lefthand corner of it the initials GDS: FP, and carrying on the righthand side, "Cordially yours" comma, and in ink "G. David Schine"; and under that ink legend the typewritten words "G. David Schine."

Was that letter signed by you? Private Schine. It was not, sir.

Mr. Welch. Was it dictated by you?

Private Schine. Yes, sir.

Mr. Welch. Was it sent on your behalf?

Private Schine. It was, sir.

Mr. Welch. May I read it to you, and you worted me, Mr. Schine. Private Schine. May I read the letter, sir.

Mr. Welch. Indeed. You have it.

Private Schine (reading).

PUBLIC INFORMATION OFFICER,

McGuire Air Force Base, Trenton, N. J.

DEAR SIR: Thank you very much for sending the pictures of Secretary Stevens, Colonel Bradley, and myself.

If any of the other photographs which were taken had of turned out satis-

factorily, I would appreciate having those forwarded to me as well.

I want to express my gratitude at this time for your cooperation in not releasing the pictures or any kind of press statement. I will remember my promise to you that if at some time in the future it becomes possible to allow publication of the pictures that McGuire Air Force Base will be given credit for the photography.

This is signed apparently by somebody in my office, and it is dated November 24, 1953. This is the first I have seen the actual letter, although I recall having dictated that now. I apparently thanked the Air Force for sending me the picture, for not printing it; and in answer to their request, when I did ask them not to print it, I told them that I would comply with their request and give McGuire Air Force Base credit for the photography if ever the picture were printed—something I just remember I have not done. [Laughter.]

Mr. Welch. Private Schine, I suggest to you that if you and I both give them a plug now, they ought to be pretty well satisfied, don't

you think? Will you join me in giving them a "thank you"? Private Schine. I have already thanked them, sir.

Mr. Welch. Now I wish to ask you, on the basis of this letter, if you were seeking to secure an exclusive print on your own behalf.

Private Schine. I was seeking nothing, sir, except what the photographers had taken when Secretary Stevens asked me to stand with him for that picture.

Mr. Welch. Yes; but you asked them not to release the picture,

did vou not?

Private Schine. I did, indeed, sir.

Mr. Welch. And you asked them not to give out any kind of press statement?

Private Schine. I did, indeed, sir.

Mr. Welch. For which I think it fairly follows—and I am not charging you with anything, sir—from that that you were seeking

an exclusive, were you not?

Private Schine. I was not, sir. I said nothing to them about where else they should send the picture privately. I merely requested from them after the picture was taken that they not publish it anywhere. I told them that I had to pose for it because I was asked to by Secretary Stevens, but I said nothing to them about where else they should send the picture.

Mr. Welch. Are you suggesting, sir, that it was repulsive to you

to pose for that picture?

Private Schine. I am not suggesting anything, sir. I am saying that at the time I made the request of the photographers that they not publish the picture anywhere, I have not seen the picture published anywhere, and I appreciate very much the promise they made to me that they would not send it to any publications.

Mr. Welch. Are you suggesting, sir, that you were ordered by the

Secretary of the Army to pose for that picture?

Private Schine. I am saying, sir, that I was asked by the Secretary of the Army to stand next to him and be photographed.

Mr. Jenkins. Mr. Chairman. Senator Mundt. Counsel.

Mr. Jenkins. That matter is not a proper subject of inquiry, and I made it perfectly clear; but if Mr. Welch desires that his question and answer stand, I take it that it does not lie within my province to object to it. It sheds no light on the photographs, their authenticity, whether or not anyone is cut out of it. I would merely remind counsel of that fact.

Mr. Welch. I will try not to stray afield, sir. I think I will stay in

bounds.

One more question, however, along this line. Did you ask Secretary Stevens' permission to mount it on your wall and give it publicity to that extent?

Private Schine. I did not, sir.

Mr. Welch. Did you follow the hearings in this room by television?

Private Schine. Which hearings, sir?

Mr. Welch. That we are attending today. Have you been following them?

Private Schine. I have followed as many of them as I was permitted

to follow, sir.

Mr. Welch. Were you following on the morning that we had quite a to-do in this room about the picture?

Private Schine. I believe I saw some of that hearing, sir.

Mr. Welch. Did you understand that I, Welch, was then suspicious that this picture had in some way been doctored?

Private Schine. I do not know that it has been doctored, sir.

Mr. Welch. When you saw the picture of yourself and Secretary Stevens alone and observed Secretary Stevens' discomfort when he was queried about them, did you rush to a telephone and say to someone on the staff or anyone on the staff, "That is not fair"?

Senator McCarthy. Mr. Chairman?

Senator Mundt. Does the Senator have a point of order?

Senator McCarthy. I just want to make it clear, Mr. Chairman, if counsel is going to go beyond the authenticity of the picture, I have no choice but to do likewise. I understood from Mr. Jenkins that if there were a straying beyond the authenticity of the picture, objection would be raised. Whether you object or not, I frankly do not care. I want to make it very clear that if we are going to go beyond the picture, I will do likewise.

Senator Mundt. Will the reporter repeat the question? The attention of counsel was temporarily distracted, as was the attention of

the Chair. I would like to have the question repeated.

(The question was read by the reporter.)

Mr. Jenkins. Mr. Chairman? Senator Mundt. Mr. Jenkins.

Mr. Jenkins. That question would go to the credibility of the witness, his disposition or lack of disposition to reveal the facts. I think it is a part of the inquiry that the interest or credibility of a witness might be shown. I think it is a proper question, on that subject alone. That is, whether or not he participated in the practice of any alleged deception or having learned of it if such a thing existed, whether or not he remained passive or took any active step to correct a false impression. For that purpose and that purpose alone, I think the question is proper.

Senator McCarthy. Mr. Chairman, may I say that I will object, I would not object to the question, except I would like to mention the fact that the other day it was pointed out that Private Schine was getting special consideration because he was allowed to use the

telephone.

Senator Mund. The question will be ruled in order.

And, Private Schine, if you can recall the question, you may answer it.

Private Schine. I believe I recall the question, sir, to answer it. When it was insinuated that members of the committee staff had doctored the picture, and that this was a completely dishonest act, I was naturally very much interested in watching the outcome of the proceeding over television.

My own personal opinion was the fact that Colonel Bradley, who was head of many Air Force bases in the Northeast, and was standing to the side, and was in the picture, in no way detracted from the

fact that the Secretary had requested that I pose with him.

I didn't know what was going to happen in the hearing, and I didn't know what the members of the staff were going to testify to. And I felt that they had all of the facts. I had complied with Mr. Jenkins request that I produce the picture. And I have no direct contact with the staff during the hearing anyway, and I certainly have been more than willing to cooperate in any way I can and produce any and all information concerning the picture or anything else. And that is what I am doing right now, sir.

Mr. Welch. Were you shocked when you saw the picture from your wall published, minus one-third of the characters who appeared on your wall?

Private Schine. Was I shocked, sir?

Mr. Welch. Yes?

Private Schine, I was not shocked. Mr. Welch. Were you surprised?

Private Schine. When I saw this picture published, sir?
Mr. Welch. The picture that had hung on your wall, with three characters in it, when you saw it published in the papers, with but two characters, were you shocked, sir?

Private Schine. I have not been shocked lately at anything the

newspapers of the country publish, sir. Mr. Welch. Were you surprised?

Private Schine. I was not, sir; and I expect to read anything in the newspapers these days, sir.

Mr. Welch. Were you saddened?

Private Schine. Was I saddened, sir, about what?

Mr. Welch. About the missing Colonel Bradley in your picture? Private SCHINE. I think it is fairly clear, sir, what happened; and anything that isn't clear will be brought out here at this time.

Mr. Welch. It was not clear to you when you saw in the pictures

what had happened, was it, Private?

Private SCHINE. At that time there had been no testimony about the

incident, sir.

Mr. Welch. Well, you recognized what you saw in the paper as two-thirds of the picture that had hung on your wall, did you not? Private Schine. I did not see the papers, sir, until the day following the hearing.

Mr. Welch. But when you saw it, you recognized it as two-thirds

of what had hung on your wall, did you not?

Private Schine. As I recall, I believe that the press published both pictures, the one of Secretary Stevens and myself, which is a print taken apparently from a copy of a picture and enlarged, plus the original which appeared on my wall in the office.

Mr. Welch. Do you know now, Private Schine, how Colonel Bradley, one-third of the characters in the play, disappeared from the

cast?

Private Schine. I have absolutely no idea, sir.

Mr. Welch. You haven't learned yet? Private Schine. I have not, sir.

Mr. Welch. Then, Private, wearing that proud uniform which you do, I acquit you, sir, of anything wrong, if there was anything wrong.

Senator Mundt. Counsel's time expired at the proper time, and he

ran out of questions at the same moment.

Senator McCarthy?

Senator McCarthy. Mr. Chairman, I would have no questions to ask of this witness, except I would like to have it established whether or not the picture Mr. Welch produced was actually the blowup of the picture that had been introduced in evidence the day before.

Senator Mundr. If you will yield to counsel at this time?

prepared to pursue.

Senator McCarthy. I would rather have counsel do that.

Senator Mundt. Mr. Jenkins.

Senator McCarthy. There is only one question; I have just one question. What is your rating as of today?

Private Schine. I am a private, sir. Senator Mundr. Mr. Jenkins.

Mr. Jenkins. Mr. Schine, I show you another photograph which I believe all parties here concede is a blowup, shall we say, of a photograph in which the Secretary of the Army, you, Private Schine, and Colonel Bradley are shown, and perhaps the arm or the arm coat of a fourth person to the immediate right of Colonel Bradley. I will ask one of these gentlemen to pass that blown up photograph to you.

Private Schine. I can see it from here, sir.

Mr. Jenkins. I will ask you to examine it carefully, and state whether or not you have ever seen that photograph before, or any duplicate of it, or the negative of it or the print of it.

Private Schine. I believe I saw that one on television, sir, and I

have never seen any negative or print of it.

Mr. Jenkins. Is that the first time that you ever saw it, on television, during these proceedings?

Private Schine. It is, sir.

Mr. Jenkins. Was that after you had delivered to the office of Mr. Cohn the first photograph about which you were questioned today? Private Schine. Yes, sir.

Mr. Jenkins. Do you see an arm or arm coat or sleeve of a fourth person in this photograph?

Private Schine. I do, sir.

Mr. Jenkins. Do you understand that this photograph was introduced by counsel—by Mr. Stevens and/or Mr. Adams; do you understand that, either through themselves or through their attorney?

Private Schine. Yes, sir.

Mr. Jenkins. Do you have any way, whatever, of accounting for this photograph that I now show you or of including any facts to this committee that would shed any light upon it?

Private Schine. No, sir.

Mr. Jenkins. Other than that it is a photograph of the Secretary of the Army, of you, Colonel Bradley, and a part of some fourth person?

Private Schine. May I see the other photograph, sir?

Mr. Jenkins. May I ask which one?

Private Schine. The one that was on my wall. Mr. Jenkins. I thought it was before you.

I will ask you to examine, Mr. Schine, the first photograph about which you were questioned, and which was taken from your office in New York City, and state whether or not there is shown in it a fourth party or the arm of a fourth party?

(Photograph referred to was shown to the witness.)

Private Schine. No, sir, there is no arm of another party in the photograph that hung on my wall, which was sent to me by the Air Force.

Mr. Jenkins. Would you or not say that the two photographs are different or are you able to express any opinion on that subject?

PRIVATE SCHINE. I would say that they are different prints, and as to whether they came from the same negative or not, sir, I do not.

May I see this one a little closer, sir, to look at some of the expres-

(The photograph referred to was handed to the witness.)

Private Schine. My own personal opinion-

Mr. Jenkins. May I ask you to hold this photograph, and there is another one that I want to ask you but you may answer the last question, Mr. Schine.

Private Schine. My own personal opinion, sir, is that the darkroom of the Air Force saw fit to cut the picture of Secretary Stevens and me down to show just three individuals.

Mr. Jenkins. May I ask you this question? Private Schine. Yes, sir.

Mr. Jenkins. Will you examine both pictures to the immediate left of the Secretary, which would be the right side of the picture as you look at it?

Private Schine. Yes, sir.

Mr. JENKINS. And the left side of the picture, as the Secretary and you and Colonel Bradley stand.

Private Schine. Yes, sir. Mr. Jenkins. Do you note any differences there?

Private Schine. I note very little difference, sir, in the two pictures. I cannot say that they are taken from the same negative, possibly.

Mr. Jenkins. Will you examine particularly the insignia?

Private Schine. Yes, sir, it looks as if they are taken from the same negative, although the two photographers could have been standing close to each other, and I don't know, sir.

Mr. Jenkins. Mr. Chairman, I have no further questions. Senator Mundt. Well, the Chair was completely unable to follow this testimony because he was looking at the photographs from the rear throughout, and so I have no questions.

Perhaps Senator McClellan will have one.

I wonder if we could have the pictures presented up here, where the rest of the committee can see them.

Private Schine. Yes, sir.

Senator McCarthy. Mr. Chairman

Senator Mundt. Have you a point of order?

Mr. Jenkins. Do you want those filed as exhibits? Should they be filed as exhibits? I think perhaps they should be.

Senator McCarthy, Mr. Chairman Senator Mundt. Senator McCarthy.

Senator McCarthy. I yielded to counsel because I thought he wanted to develop this point, on the assumption I would be able to question when he got through. I have no objection to waiting until we go around, though, if the Chair would prefer.

In the meantime, could I see those pictures?

Senator Mundt. Yes, I think we had better go around, probably, and we will get around to you.

Senator McClellan.

Senator McClellan. Mr. Chairman, if it would serve the convenience of the Senator to pursue this particular line of questions, I am glad to let him do so at this time.

Senator Mund. Without objection, then, in behalf of any member of the committee, we will now allocate 10 minutes to Senator Mc-

Carthy. The Chair hears no objection.

Senator McCarthy for 10 minutes.

Senator McCartiiv. Mr. Schine, I don't know if we should try to make you an expert on photography but in looking at the pictures, I find that the picture which you sent to Mr. Jenkins is different in many details from the picture that Mr. Welch submitted. He submitted it, and informed the committee that they were the same picture.

I assume, if it is not the same picture, it was not the result of any evil intent on the part of Mr. Welch. I assume he was honestly mistaken. But you will note, if you will look—I wish there were some way that we could both look at it together. You will note, if you look at the picture, Mr. Schine, that the picture which you submitted differs from the one Mr. Welch submitted insofar as the insignia at Mr. Stevens' left is concerned; also insofar as the disappearance of the fourth man from the picture is concerned. So can we safely say this: that the picture which you submitted is not the same picture in all detail as the one which Mr. Welch submitted?

Private Schine. Yes, sir, I can say that they are different prints.

There is no doubt about that.

Senator McCartiiy. You would have no way of knowing, of course, whether different photographers took them or whether the same photographer took them at succeeding moments?

Private Schine. No, sir. As I remember, there were two photographers, and I have never seen any other pictures that they took unless

these are two of them.

Senator McCarthy. May I say, Mr. Chairman, that I frankly cannot see any great importance to this. We have the same pleased expression on Mr. Schine's face, the same grim smile on Mr. Stevens' face, that we have in one picture as in the other. I would not care to spend any more time on that.

Senator Mundt. Does counsel have any further questions?

Mr. Jenkins. Mr. Schine, I ask you to file the picture you sent or had sent from your office in New York City, for the purposes of identification, as exhibit 3, and the large blown-up photograph as exhibit 4; and I ask the reporter to so identify those photographs.

That is all I care to ask.

Senator Mund. The exhibits will be accepted and recorded.

(The photographs mentioned above were marked as "Exhibit No. 3 and Exhibit No. 4" and will be found in the files of the subcommittee.)

The Chair has no further questions of Mr. Schine at this time.

Senator McClellan?

Private Schine. Sir, the large picture is not mine. The other one, it is my pleasure, sir, to attach to the testimony.

Mr. Jenkins. It is merely a formal matter for the purpose of

identifying those.

Private Schine. Yes, sir.

Senator Mund. The Chair will accept the exhibit from counsel if that is permissible, and we will have it in the record.

Senator McClellan?

Senator McClellan. Mr. Schine, as I understood your testimony, you have never seen this picture that came from your wall from the

time that you brought it to Washington and delivered it to the man

whom you have identified?

Private Schine. I did not open the package, sir. I opened it in my office when I got there, to make certain that this was the picture of Secretary Stevens and myself, the one that Mr. Jenkins had requested. Then I asked one of the girls in the office to wrap it up again, and I brought it in that form to Room 101, where I gave it to Mr. Anastos.

Senator McClellan. That would mean you had not seen it since;

is that your testimony?

Private Schine. No, sir.

Mr. Jenkins. Had you, in company with others, had some pictures, looking at them since then, that you recall?

Private Schine. Have I had what, sir?

Senator McClellan. We will make it a little more specific. Do you recall whether you had dinner last Friday night at the Colony House, right across from the Mayflower Hotel?

Private Schine. I do not recall having dinner there, sir. Senator McClellan. Do you say you did or did not?

Private SCHINE. I think I was asked to come in there, and I believe I had some ice cream, sir.

Senator McClellan. By whom? Who were you in company with

at the time?

Private Schine. Members of the staff, sir. Senator McClellan. Members of the staff?

Private Schine. Yes, sir.

Senator McClellan. Will you—

Private Schine. This was not Friday, sir. It might have been Friday, sir; I do not believe it was, sir.

Senator McClellan. It was since you delivered the picture, was

it not?

Private Schine. Yes, sir; I believe it was.

Senator McClellan. Since then. Did you at that time, with the others, have some pictures there examining them?

Private Schure. Have some pictures, sir?

Senator McClellan. Yes, sir, at that time. If so, state whether this picture was in the number.

Private Schine. No, sir. This picture—I had not seen this picture,

sir, until this morning.

Senator McClellan. That is what I understood you to say. I am trying to clear up something that is just as much in your interest as anyone else's.

Private Schine. Yes, sir.

Senator McClellan. Did you at that time have some other pictures there that you were examining?

Private Schine. I may have, sir. Senator McClellan. Do you recall?

Private Schine. Yes, sir, I did. I had another picture, sir.

Senator McClellan. What picture was that? All I am interested in, was it this picture or one different to this?

Private Schine. This was a picture of members of the staff, Sena-

tor McCarthy, and General Lawton.

Senator McClellan. How many different pictures did you have there at the time?

Private Schine. Just one, sir.

Senator McClellan. Just one picture?

Private Schine. Yes, sir.

Senator McClellan. You now recall that incident?

Private Schine. I do, sir.

Senator McClelland. That was, you think, last Friday night? Private Schine. I don't believe it was Friday, sir. I believe it was sometime last week.

Senator McClellan. It may have no significance at all.

Private Schine. Yes, sir.

Senator McClellan. But I wanted to let you clear it up.

Private Schine. Yes, sir. Senator McClellan. You say this picture was not there?

Private Schine. It definitely was not, sir.

Senator McClellan. Was the other picture about the same size as this?

Private Schine. I am not sure whether they were the same size. Senator McClellan. Whether they were—I thought you said there was only one.

Payate Schine. You asked me, sir, whether the other picture was

the same size as this one.

Senator McClellan. That is right.

Private Schine. I do not know, sir, whether they were the same

Senator McClellan. I said about the same size. I am trying to determine whether this picture was there. If not, if there is one similar that might cause somebody to make a mistaken identity.

Private Schine. I believe this one is about an 8 by 10, sir, and

possibly the other one by 10 by 12 or 8 by 10.

Senator McClellan. A little larger than this?

Private Schine. I am not sure. Senator McCarthy, Mr. Chairman? Senator Mundy. Senator McCarthy.

Senator McCarthy. For the benefit of Senator McClellan, my staff informs me that Private Schine gave them the picture. They have it down in the committee room. If the Senator would like the picture

that they were examining, it will be brought up.

Senator McClellan. Mr. Chairman, I believe I would like to have the witness testify. I do not know that I care to see the other picture. I am only trying to determine if this picture was the picture and, if not, whether someone else might have been mistaken in undertaking to identify this picture. I am asking him so he may, while present on the stand—this picture or the authenticity of it or whether it was

doctored is at issue, and he may clear up this statement.

Private Schine. I will be very happy to, sir. I remember the staff requested that I produce another picture. This was a picture taken when the committee was holding hearings on Communist infiltration in the Signal Corps of the Army, and I now recall that the staff has the picture. I understand they can produce it if you would like them

to, Senator.

Senator McClellan. All right. Let's get is completely clear and accurate right now. You did not have this picture, but you did have another picture at the time?

Private Schine. Yes, sir.

Senator McClellan. Let's identify the time from your recollection. If it were not last Friday night, when was it?

Private Schine. It might have been Thursday night, sir.

Senator McClellan. Either Thursday or Friday night of last

Private Schine. Yes, sir.

Senator McClellan. Who was in the party with you? Name those. Private Schine. I think that Mr. Cohn, Mr. Carr, Mr. Juliana, and

possibly 1 or 2 other members of the staff.

Senator McClellan. Was the man whom you have named as the one to whom you have delivered this picture, was he present at that

Private Schine. I really don't remember, sir. Mr. Jenkins. His name is George Anastos.

Senator McClellan. Anastos is the man I am inquiring about. Was he present at that time?

Private Schine. I do not recall, sir. I do not think he was.

Senator McClellan. That is all for the present, Mr. Chairman.

Senator Mundt. Senator Dirksen.

Senator Jackson?

Senator Jackson. Yes.

As I understood it, you went up to New York on what day last week to get the picture?

Private Schine. I went on Wednesday evening, sir.

Senator Jackson. Wednesday evening?

Private Schine. Yes, sir.

Senator Jackson. And you returned with it what evening?

Private Schine. I returned the next day, sir. Senator Jackson. You returned on Thursday?

Private Schine. Yes, sir.

Senator Jackson. Then you delivered the picture on Thursday to Mr. Anastos?

Private Schine. Yes, sir.

Senator Jackson. Was that Thursday morning or afternoon? Private Schine. It was just at the beginning of the afternoon,

Senator Jackson. Who did you come back from New York with? Private Schine. I came alone, sir.

Senator Jackson. You came alone? Private Schine. Yes, sir.

Senator Jackson. You testified that you had no direct contact with the staff?

Private Schine. That I had no direct contact with the staff when,

Senator Jackson. You testified in response—I assume since the hearing started, in response to a question by Mr. Jenkins you said—

Private Schine. No, sir; I did not, sir. I said I have had no direct contact with the staff during the hearings, sir.

Senator Jackson. You haven't talked with any one of the staff? Private Schine. Not while the hearings are going on, sir, because they are sitting right at this table, sir.

Senator Jackson. You haven't talked with any one of the staff in the evening or any other time?

Private Schine. Oh, yes, sir. I have been available and anxious and ready to cooperate in any way I can with members of the committee, with members of the staff, and with the Department of the Army.

Senator Jackson. I thought you wanted to correct that because in

Private Schine. I did not say I had not had any contact—period. I said during the hearings I have not talked on the telephone with members of the staff as far as I can remember.

Senator Jackson. You remember during the formal hearings here

in the open?

Private Schine. Yes, sir.

Senator Jackson. But you don't mean after hours?

Private Schine. No, sir. They have called upon me to do a great

deal of work, to produce many things.

Senator Jackson. Is any member of the staff doing any work for you and preparing anything for you?

Private Schine. Yes, sir.

Senator Jackson. So some of the staff are assisting you, then?

Private Schine. No, sir. If I am asked by the staff to write out something involved in a report, I feel free to call upon the staff and ascertain the proper date or look at some of the records to help me.

Senator Jackson. But you have not requested the staff to do any

work for you?

Private Schine. No, sir.

Senator Jackson. That is all. Senator Mundt. Senator Potter.

Senator Potter. I have no questions. Senator Mundt. Senator Symington.

Senator Symington. No questions. Senator Munder. Senator Dworshak.

Senator Dworshak. I would like to see the document which was offered in evidence a few minutes ago.

Private Schine. Yes, sir.

(Document referred to was passed to Senator Dworshak.)

Senator Dworshak. Private Schine, do you have any understanding at the present time with the investigating subcommittee of the Government Operations Committee to remain on its staff?

Private Schine. I beg your pardon, sir? Senator Dworshak. Do you have any agreement at the present time with this subcommittee to remain as a member of its staff?

Private Schine. I am a private in the Army, sir, and I am not engaged by the Senate subcommittee except insofar as instructions are given to me to cooperate, which I am ready and willing to do.

Senator Dworshak. Weren't you in the Army on November 24,

1953?

Private Schine. I was; yes, sir.

Senator Dworshak. You used a copy of the committee's letterhead

at that time?

Private Schine. I believe, sir, that somebody in my office typed that letter. I probably was informed that the picture had arrived. I didn't feel that there was anything wrong—I don't feel there is anything wrong with using that stationery. They probably had it available.

Senator Dworshak. Are you still using it?

Private Schine. I am not, sir.

Senator Dworshak. But you did use it on November 24?

Private Schine. Somebody in the office selected that for the letter,

although I don't see any official designation on there, sir.

Senator Dworshak. I didn't ask about that. I was just wondering whether you were authorized to use this stationery after you became a private in the Army?

Private Schine. I believe, sir—

Senator McCarthy. Mr. Chairman, I have been sitting here very patiently listening to Senators go far afield. I thought we were questioning this witness, according to Mr. Jenkins' statement, in regard to the authenticity of this photograph.

If we want to go into the question of whether or not he used a piece of my stationery at some time and spend time on that, all right; but if you are going to open this up, then I must go into side issues

also.

Senator Dworshak. Mr. Chairman, am I entitled to my rights as a member of this committee?

Senator McCarthy. A point of order.

Senator Dworshak. Is that a point of order or is it not?

Senator McCarthy. It is a point of order that counsel stated that at this time we would only go into the question of the authenticity of

the photograph.

Senator Mund. The Chair would like to remind Senator Dworshak that the counsel did suggest—I think it was before you returned to the committee room, Senator—that the questions at this time to Private Schine were to be addressed to the authenticity of the photographs.

Senator Dworshak. I was over answering the rollcall and I didn't

hear that explanation.

Senator Mundt. That is correct. So Senator McCarthy's point is well taken.

Senator McCarthy, do you have any further questions? Senator McCarthy. No further questions, Mr. Chairman.

Senator Mundt. Counsel? Mr. Jenkins. Yes, I do have.

Mr. Schine, in view of questions asked you by Senator McClellan, I now deem it my duty on behalf of this committee to ask you further with reference to these photographs.

Private Schine. Yes, sir.

Mr. Jenkins. I understand you to say that last Friday evening you were at the Colony Club or Old Colony Club in Washington.

Private Schine. I was not, sir.

Mr. Jenkins. Last Thursday night?

Private Schine. I believe it was Friday, sir, for about 20 minutes.

Mr. Jenkins. Across from the Mayflower Hotel?

Private Schine. Yes, sir.

Mr. Jenkins. And that Mr. Cohn was present?

Private Schine. Yes, sir.

Mr. Jenkins. Mr. Carr was present?
Private Schine. I believe he was, sir.
Mr. Jenkins. Mr. Juliana was present

Mr. Jenkins. Mr. Juliana was present?

Private Schine. Yes, sir.

Mr. Jenkins. You were present?

Private Schine. Yes, sir.

Mr. Jenkins. You were asked by Senator McClellan whether or not George Anastos was present. You recall that?

Private Schine. Yes, sir, I do.

Mr. Jenkins. Your answer was that you didn't remember?

Private Schine. My answer was, sir, that I do not recall that he was present, but I do not believe that he was.

Mr. Jenkins. Was there anybody else in the party outside of those

that you named, that you distinctly recall?

Private Schine. I don't distinctly recall anybody else. Mr. Jenkins. What time of night was that party given? Private Schine. I don't know that it was a party, sir.

Mr. Jenkins. What time the group assemble?

Private Schine. I don't know.

Mr. Jenkins. You know what I mean, Mr. Schine. When did you go there?

Private Schine. I came there after they had begun eating dinner,

Mr. Jenkins. About what time of night? I don't know what time they eat dinner. Neither does the committee.

Private Schine. I believe it must have been in the middle of the

evening.

Mr. Jenkins. What time is the middle of the evening?

Private Schine. Nine or ten o'clock.

Mr. Jenkins. Nine or ten o'clock. At whose invitation did you

Private Schine. I came at the request of either Mr. Cohn or Mr. Carr, sir.

Mr. Jenkins. You went alone?

Private Schine. Yes, sir.

Mr. Jenkins. Knowing that the assemblage was there?

Private Schine. Yes, sir.

Mr. Jenkins. Mr. Schine, did you take this photograph with you that you referred to, the photograph of you, Senator McCarthy, and perhaps others? Did you take it along with you when you went to the Colony Club? What is that Old Colony Club? I never heard of it.

Private Schine. I believe it is called the Colony Restaurant, sir.

Mr. Jenkins. The what?

Private Schine. The Colony Restaurant.

Mr. Jenkins. Let's pinpoint it. The Colony Restaurant?

Private Schine. Yes, sir.

Mr. Jenkins. Did you take that photograph with you?

Private Schine. Yes, sir.

Mr. Jenkins. What was the occasion of your doing that?

Private Schine. I believe I was asked to, sir.

Mr. Jenkins. By whom?

Private Schine. I am not sure, sir. Either Mr. Cohn or Mr. Carr.

Mr. Jenkins. For what purpose?

Private Schine. I believe they wanted it, sir. I don't know the ourpose.

Mr. Jenkins. What photograph was it—of you, Senator McCarthy,

and who else?

Private Schine. General Lawton is in the picture, sir.

Mr. Jenkins. As far as you now recall, it was a photograph of you three only?

Private Schine. No, sir. Other members of the staff.

Mr. Jenkins. Then you, General Lawton, Senator McCarthy, Mr. Cohn—is that right?

Private Schine. Yes, sir. Mr. Jenkins. Mr. Juliana? Private Schine. Yes, sir. Mr. Jenkins. Mr. Carr?

Private Schine. I believe there were six in the picture, sir.

Mr. Jenkins. What was the occasion of your being invited to come to the Colony Restaurant and bring with you that particular photograph? Why did they want it?

Private Schine. I have no idea, sir.

Mr. Jenkins. You found out, no doubt, when you got there, what

they wanted with it?

Private Schine. I have had requests for many things, sir, in the last several days, and I am trying to comply with all of these requests.

Mr. Jenkins. You were asked specifically whether or not George Anastos was there, and as I understand you, you say that this photograph that hung on your wall in New York City was delivered by you to George Anastos.

Private Schine. Yes, sir.

Mr. Jenkins. You say you don't remember whether George Anastos was there at the Colony Restaurant?

Private Schine. I don't think he was, sir.

Mr. Jenkins. You first said, as I recall, that you didn't remember whether he was there.

Private Schine. I am not sure that he was.

Mr. Jenkins. Do you remember what you ate there that night? You said——

Private Schine. I had a butterscotch sundae.

Mr. Jenkins. You remember that, butterscotch ice cream.

Private Schine. Yes, sir.

Mr. Jenkins. It was not a large group of people, was it? Private Schine. I wouldn't say it was a large group, sir. Mr. Jenkins. You would say it was a small group?

Private Schine. Several people, sir.

Mr. Jenkins. How many? You have named all of them, have you not?

Private Schine. I don't know who I named, sir.

Mr. Jenkins. Mr. Schine, what I want to get at is this, and I know the committee wants to get at it. How is it that you—I believe you are a college graduate, are you not?

Private Schine. I am, sir.

Mr. Jenkins. And you have served this committee as a special consultant for some considerable time. That is correct, is it not?

Private Schine. I have, sir.

Mr. Jenkins. Now, Mr. Schine, do you mean to tell this committee here today under your oath that you do not remember today, Thursday, with whom you ate that ice cream last Thursday, 1 week ago, at the Colony Restaurant here in Washington? Is that what you are telling this committee?

Private Schine. I think I can explain that, sir.

Mr. Jenkins. If you have an explanation, I am sure the committee would like to hear it.

Private Schine. I am a private in the United States Army, sir.

Mr. Jenkins. That does not affect your memory, does it? (Laughter.)

Private Schine. I think I have a fairly good memory, sir.

Senator McCarthy. A point of order, Mr. Chairman. Couldn't we let the private finish his answer?

Mr. Jenkins. If I have cut him off, I apologize. Go ahead. Go

ahead, Mr. Schine. I am sorry.

Private Schine. Since I have been in the Army, sir, I have been subjected to many pressures. I have been called upon to do many things. I have received many orders, quite unusual for a private in the Army to receive, and I have obeyed them to the best of my ability. Since I came to Washington, I have at the request of many individuals attended many meetings, and this controversy has caused many of them to work late hours, including myself. I really think it is quite natural that I cannot remember who was at all of the meetings.

Mr. Jenkins. Well, Mr. Schine, your explanation, then, is as we

get it that you are in a sort of a state of exhaustion?

Private Schine. I am not exhausted, sir; and I think, sir, when you were asking me about the meeting on Wednesday evening, and you asked me whether Mr. Cohn was present, and you said perhaps Mr. Carr was present and perhaps other individuals were present, that you suffered from the same type of poor memory that I suffer from now.

Mr. Jenkins. I believe, Mr. Schine, that this committee believes that perhaps I have been a little more busily engaged for the last week or 2 weeks than maybe you have, and there is some, I regret to say, disparity in our ages.

Private Schine. Well, sir, I certainly—

Mr. Jenkins. But I am asking you about a simple event-

Private Schine. I certainly——

Mr. Jenkins. To wit, a meeting of some 5 or 6 men, 1 week ago, and when you said you didn't remember whether or not George Anastos, who happens to be the man that you delivered this New York photograph to, was present or not, I felt that I should explore that subject further, and I still feel so.

Private Schine. I will tell you why I can remember that I gave the

photograph to Mr. Anastos.

Mr. Jenkins. Now, haven't you, Mr. Schine, been here some week or 10 days?

Private Schine. Sir?

Mr. Jenkins. Haven't you been in Washington-

Private Schine. Yes, sir.

Mr. Jenkins. Or at Camp Gordon?

Private Schine. I am not physically exhausted.

Senator McCarthy. The counsel stated to begin with that this would be restricted to the photograph, and I have restricted myself to that. And now we are delving into what type of ice cream the Private ate last week.

Now, if this has some relevancy to the photograph, good; we will go into it. But I think there is a limit to how ridiculous we can

get here.

Mr. Jenkins. I say, Mr. Chairman, that this goes to the relevancy of the photograph; if the proof develops that 1 week ago, approximately, this witness was in company with other members of the staff, whom he has mentioned, and had a photograph with him, I say that it is a circumstance shedding light on the authenticity or lack of it of these photographs. And I desire to pursue that examination further, if I may.

Private Schine. May I finish, sir?

Senator Mundt. You may finish your answer.

Private Schine. Yes, sir; you see, sir, when you sent me to New York to obtain this photograph ——

Mr. JENKINS. I did that.

Private Schine. And other documents, sir, I was very anxious to do that, sir, because I understood you were quite anxious to have these things. And I went right to the airport, sir, and got on the first plane. And when I came back from New York, sir, Mr. Anastos met me at the airplane.

Mr. Jenkins. You have testified to all of that now, Mr. Schine?

Private Schine. Yes, sir. And, therefore, I do remember giving him the photograph because he came with me to the office. And, as a matter of fact, one of the staff came in and said, "Let me see the picture of you and Secretary Stevens," and I said, "We had better send this right up because Mr. Jenkins is anxious to have it, and so we had better not open it." And I remember Mr. Anastos taking the picture.

Mr. Jenkins. I understand that.

Private Schine. Because you were so anxious to have the picture and the documents, sir, I was quite anxious to comply with your

wishes, and remember distinctly the incident.

As to what I gave to the members of the staff on that evening, they have asked me for many things, sir. And there was no urgency about this photograph; it was one of many things perhaps which they have requested. And I really didn't pay much attention to who was at the meeting. I merely came to it.

Mr. Jenkins. I didn't mean to cut you off.

Private Schine. I think they were finished eating, and they asked me if I wanted anything, and I ordered some ice cream; and I believe I handed them whatever they asked for. And I think that we all left shortly thereafter.

Mr. Jenkins. Is that the end of your answer?

Private Schine. I beg your pardon.

Mr. Jenkins. Is that your answer now in full? And I don't mean to cut you off.

Private Schine. I think that I can find out exactly who was there,

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Mr. Jenkins. I am not asking you that now.

Mr. Schine, when I met you in Mr. Cohn's office one evening, I requested, after you had given me certain information, a photograph of you and the Secretary of the Army, did I not?

Private Schine. You did, sir.

Mr. Jenkins. Now, Mr. Schine, you now know that I introduced as evidence on cross examination of the Secretary of the Army a photograph of the Secretary and of you alone, and you know that, don't you?

Private Schine. Yes, sir.

Mr. Jenkins. If you don't know it, I will state it to you as a fact.

Private SCHINE. Very well, sir. I know that.

Mr. Jenkins. It now develops that the photograph is Colonel Bradley—

Private Schine. Yes, sir.

Mr. Jenkins. Of Colonel Bradley was omitted from that photograph, doesn't it? And you know that as a fact?

Private Schine. Yes, sir.

Mr. Jenkins. Now we are trying to inquire about it.

You went to the Colony Club a week ago tonight, and you know George Anastos, don't you?

Private Schine. Yes, sir, I do.

Mr. Jenkins. How long have you known him, Mr. Schine? Private Schine. I have known him for several months, sir.

Mr. Jenkins. Do you know him well?

Private Schine. In fact, I think I have known him for longer than several months, sir.

Mr. Jenkins. Well, is he on the McCarthy committee?

Private Schine. Yes, sir.

Mr. Jenkins. A member of the staff?

Private Schine. Yes, sir.

Mr. Jenkins. You have worked with him day in and day out over the course of the last several months?

Private Schine. Well, sir, he came with the committee much later

than I did, sir.

Mr. Jenkins. And you were asked to bring a certain photograph to the Colony Restaurant a week ago tonight, that did not include a photograph of the Secretary of the Army, weren't you?

Private Schine. Yes, sir.

Mr. Jenkins. But only a photograph of Senator McCarthy and certain members of his staff, including yourself?

Private Schine. And General Lawton, sir.

Mr. Jenkins. Do you know, and I ask you again, was any explanation given to you as to why they wanted you to bring that photograph? Private Schine. I think that they thought possibly, sir, that you

might want to have it.

night want to have it.

Mr. Jenkins. Well, do you know why such a photograph would shed any light on the issues of this controversy, Mr. Schine?

Private Schine. I don't think—you mean the controversy over the

picture, sir?

Mr. Jenkins. Yes, and the controversy between the respective parties on this controversy. Now, can you imagine why it would shed any light whatever on what we are investigating here?

Private Schine. I don't know, sir. Mr. Jenkins. You don't know? Private Schine. I think if——

Mr. Jenkins. Was it said or suggested to you—and you say you thought maybe whoever asked you to bring it conceived the idea that I might want it. Was it suggested to you that I had called for such a picture?

Private Schine. No, sir.

Mr. Jenkins. Or even knew of its existence?

Private Schine. There was not, sir.

Mr. Jenkins. When you got there with it, was there any discussion about it?

Private Schine. There was, sir.

Mr. Jenkins. What was that discussion, may I ask? Just tell what was said.

Private Schine. "Here is the picture," and there was discussion as

to whether you might want to have it or not.

Mr. Jenkins. In what connection was it suggested that I would want such a picture to shed any light on what this committee is trying to decide?

Private Schine. No particular connection, sir.

Mr. Jenkins. Anything general? Nothing in particular, but what

generally was said about it?

Private Schine. I believe, sir, that the members of the staff are anxious to give you any and all information—do you want me to finish? Mr. Jenkins. All right.

Senator McCarthy. Mr. Chairman, please. Senator Mundt. Do you have a point of order?

Senator McCarthy. I have seen competent, energetic lawyers work many times in my life. Most of them have the same affliction. They are so anxious to ask the next question they don't wait for the answer. I know Mr. Jenkins is not doing this purposely, but sitting on the sideline, Mr. Jenkins, frankly, you are not giving the private a chance to answer.

Mr. Jenkins. Go ahead, Mr. Schine.

Private Schine. I believe, sir, that the members of the staff are anxious to give you any information, documents or facts that will help to present a full and fair picture of all activities relating to this current series of hearings. I am not exactly sure what is in the minds of the individuals who have the photograph, but I suggest, sir, respectfully, that you ask for the photograph, and possibly you will find it relevant and possibly you won't. Perhaps it is significant that they haven't given it to you thus far. Perhaps they don't think that you will find it relevant. Perhaps after you look at it you will find that it is relevant.

Mr. Jenkins. Mr. Schine, where did you get the picture that

evening that you took to the Colony Restaurant?

Private Schine. I had it with me, sir.

Mr. Jenkins. You had it with you, but you had not been carrying it with you?

Private Schine. I got it in New York City, sir,

Mr. Jenkins. When? At the same time you got the other photograph?

Private Schine. No, sir, I don't believe so, sir. I believe I got it

last weekend, sir.

Mr. Jenkins. For what purpose did you get it? Were you requested to get it by anyone, or did you do it of your own volition, or

how was that?

Private Schine. I am not sure, sir, whether anyone specifically said, "Bring me a picture of you and Senator McCarthy and General Lawton," but I know that in getting together certain documents and papers which members of the staff have asked me to bring to the committee, I included this particular document, as I have excluded others. I have been asked for many things, and I haven't made any

long list. I have also been asked for categories of things, sir, and possibly I decided myself that this fit into a particular category relative to the investigation by the committee of Communist infiltra-

tion into the Signal Corps.

Senator MUNDT. My colleague to my left has called to my attention, Mr. Counsel, that perhaps your question was misunderstood or the answer was misunderstood. There is something which is confusing, because I think Private Schine says that the picture he gave to the staff members at the Colony Club a week ago tonight, he procured in New York the last weekend. So there is some mixup there.

Private Schine. Yes, sir. As I recall now, sir, I am not sure when I gave it to the members of the staff, but I think I gave it to

them at the Colony.

Mr. Jenkins. Mr. Schine, I ask you this one final question—I hope it is. You say that George Anastos is a member of the McCarthy

Private Schine. Yes, sir.

Mr. Jenkins. You know him and know him well, and you have worked with him for months. That is correct, isn't it?

Private Schine. Well, I wouldn't say I worked with him for

months, sir, but I have worked with him, sir.

Mr. Jenkins. Yes, sir. Do you now tell the committee again—we are inquiring into the authenticity of certain photographs.

Private Schine. Yes, sir.

Mr. Jenkins. You say you were with these gentlemen a week ago tonight with a photograph at the Colony Restaurant and, as I understood you, you said that you did not remember whether George Anastos was there or not, and you say that you had it comparatively easy for the last week or 10 days.

Private Schine. I didn't say that, sir.

Mr. Jenkins. All right, all right, I will take that back.

Do you now tell this committee that you do not remember whether or not on last Thursday night at the Colony Restaurant George Anastos was present?

Private Schine. Do you want me to give you the exact day, sir,

and the exact individuals who were present?

Mr. Jenkins. No. no. It was last Thursday night, we understand. Is there any dispute about that?

Private Schine. Yes, sir, there is.

Mr. Jenkins. Oh, well now. When was it?

Private Schine. I have no pencil in my hand, sir. I have no notes here.

Mr. Jenkins. About when was it?

Private Schine. Here is a blank pad. I have been trying to answer your questions as quickly as you asked them. If somebody will lend me a pencil [pencil handed to witness] I will try to figure out who it was.

Mr. Jenkins. Do that, please, as No. 1.

Private Schine. All right, sir.

Mr. Jenkins. And here is a calendar if you need one. Private Schine. I have the date, sir. Today is the 29th, is it not? Do you know the date, sir? Mr. Jenkins, do you know the date? Mr. Jenkins. Mr. Schine, I am not on the witness stand.

Private Schine. I am just asking you if you know the date. I am trying to figure out the date, sir.

Senator Munor. The 29th, I believe. Right?

Senator McCarthy. Today is the 29th.

Private Schine. Yes, sir. That is what I thought it was.

Senator McCarthy. Mr. Chairman.

Senator Mundr. The Chair would like to let Private Schine, if he

may, have time to think out-

Senator McCarhy. While Private Schine is thinking, would it be proper to ask that the record be made clear at this time that neither the Chair nor counsel notified me that Private Schine was to be a witness. I think as an ordinary courtesy in the future, in view of the fact that members of my staff have been accused of misconduct. I believe I should have at least the 5 or 10 minutes' notice of who the next witness will be. It is a courtesy which you extend in a court. It is one we always extend in this committee. May I have a ruling from the Chair on that as to the procedure in the future?

Senator MUNDT. The Chair will endeavor to do his best.

Senator McCarthy. May I have the record clear, also, that I was with the Chair, with Mr. Jenkins, up until sometime after 2 o'clock this afternoon, and I think it very unfortunate that I had not been notified who you proposed to call as witnesses. I know that there was no intention of doing anything wrong on the part of counsel, but if we could have that understanding, I would appreciate it very much.

Senator Mundt. The Chair is fairly certain that counsel did not know much more than 10 or 15 minutes before Mr. Schine was called, because we discussed the matter after I arrived in the committee room. When I came into the committee room I was not sure then whether Secretary Stevens was going to continue or whether we were going to have another witness. I did not know that it was going to be Private Schine until he was called.

Are you ready, Private Schine?

Private Schine. Yes, sir. You see the questions have been coming at me very rapidly, sir, and I do not know just what significance is to be placed on the days or the dates. So when it was suggested to me by Senator McClellan that I was at the Colony on Thursday—

Senator McClellan. I suggested Friday.

Private Schine. He must have had reason to think I was there, and I did not doubt that reason. But as I look at the calendar and try to ascertain the exact date, and as I sit back and have had the opportunity to think about the individuals present, I believe I can tell you that the day was Monday, that it was the 26th of April, and that Mr. Carr, Mr. Cohn, and Mr. Juliana were the only members of the staff present. Mr. Anastos was not present.

Mr. Jenkins. Then it was on Monday of this week?

Private Schine. Yes, sir.

Mr. Jenkins. Which was 3 days ago.

Private Schine. Yes, sir.

Mr. Jenkins. Today being the 29th.

Private Schine. Yes, sir.

Mr. Jenkins. So only 3 days have elapsed now since that assemblage occurred. That is correct, is it not?

Private Schine. The assemblage? What assemblage, sir?

Mr. Jenkins. The getting together of all them—you know what I mean—at the Colony Restaurant. That was Monday night of this week?

Private Schine. Yes, sir. I thought you meant the assemblage of

the material.

Mr. Jenkins. And 3 days have elapsed now since the assemblage of you persons occurred. That is right, is it not?

Private Schine. Since that particular meeting, sir.

Mr. Jenkins. That is the meeting at which you had this picture of Senator McCarthy, you, and other members of the staff. That is right, is it not?

Private Schine. I believe it was, sir.

Mr. Jenkins. Now, Mr. Schine, it was your answer, was it not, a while ago in response to a question by Senator McClellan that you did not remember whether or not George Anastos was present at that

meeting. Am I right or am I wrong?

Private Schine. Frankly, sir, I had not until just a few minutes ago focused upon a specific meeting. I thought Senator McClellan was trying to ascertain when he asked this question as to whether the photograph I handed to the staff at the Colony Restaurant was the same photograph that I had that was taken at McGuire Air Force Base. I did not know the date of the meeting was so significant—

Mr. Jenkins. The committee may think it is.

Private Schine. So I have not focused on any particular date.

Senator McCarthy. Counsel, this is not a point of order but a suggestion to counsel. I think for counsel's benefit and to keep the record clear, it should be shown roughly how many nights this young man has had his dinner at the Colony, so you will realize the difficulty of focusing on any one particular night and telling you who was there on any particular night.

Mr. Jenkins. The Senator, of course, has a right to bring that out

on examination of cross examination.

Mr. Schine, do I understand that since you have been back up here from Camp Gordon you have met at the Colony Restaurant with members of the staff on other nights?

Private Schine. I have met them in a number of different places,

sir, and several——

Mr. Jenkins. No, the Colony Club.

Private Schine. Yes, sir, the Colony Restaurant.

Mr. Jenkins. All right. A number of nights since you have been back from Camp Gordon?

Private Schine. I have come over there, sir, to meet with them

there, sir.

Mr. Jenkins. Have you met with the members of the staff whom you have named at the Colony Restaurant on any other occasions since you have been in Washington or its environs from Camp Gordon in connection with this investigation at which time you had any photograph with you?

Private Schine. No, sir. Mr. Jenkins. Then——

Senator McCarthy. Mr. Chairman, a very important point of order now. I will ask the Chair—is this mike working?

Senator MUNDT. It is working.

Senator McCarthy. I will ask the Chair to call upon Mr. Stevens and those in the military who have the information to give the Chair under oath information as to whether or not Private Schine and others connected with this investigation have been under CID surveillance; if so, who authorized it and how many individuals are involved in that surveillance. By CID you understand what I mean, I assume, Mr. Chairman.

I think that is a very important point that should be covered now, and I think we should order the Secretary to produce the people who

can give that information under oath.

Senator Mundr. The Secretary is not on the stand at the present That is a question that might rightfully be propounded to him, if to anyone. Certainly Private Schine doesn't know whether he is

under surveillance or not.

Senator McCarthy. This is not a request that is being idly made. I think the Chair would want to know whether the civilians in the Pentagon are spending money; how many people connected with the CID have been employed in investigation and surveillance of anyone connected with this investigation.

Mr. Jenkins. Mr. Chairman, that is a matter about which the Secretary and other personnel may be examined later, of course, by

Senator McCarthy.

Senator McCarthy. If he doesn't get tired before we can do it. Senator Mundt. The Chair rules that Private Schine is not a com-

petent witness on that point.

Senator McCarthy. Mr. Chairman, if the Chair please, I didn't ask the Chair to interrogate Private Schine on that. I ask the chairman of this committee to order that information produced. If he does not I will try and do it through cross-examination if the civilians of the military don't get tired before I can ask the questions.

Senator Munder. It is a perfectly proper question to ask the Secre-

tary at the proper time.

Private Schine. May I answer the question, sir?

Senator Mundt. The question will be reread.
Private Schine. I was present at at least the three meetings at the Colony Restaurant during the past several days. I think that after the hearings the staff have met with you. At other times I believe executive sessions have been held. Sometimes they have asked me to meet them at the Senate Office Building, sometimes other places.

On at least three occasions they asked me to meet them at 8 or 9

o. 10 o'clock while they were eating.

Mr. Jenkins. All right. But you you were present with members of the staff at the Colony Restaurant on only one occasion when you brought with you a photograph; is that right? Didn't you say that a moment ago?

Private Schine. Yes, sir. Here is the photograph.

Mr. JENKINS. Very well. That was on Monday night of this week, the 26th day of April. Is that correct?

Private Schine. I believe it was, sir.

Mr. Jenkins. Now, Mr. Schine, you understood Senator McClel-

lan's question, did you not?

Private Schine. I would not say that I did, because he asked me about whether or not this picture was the same as the one that you hung on my wall. At least, that is what I thought he asked me. Now it seems that the day that I gave it to the staff is the question, rather than whether they were the same. So apparently I didn't understand the question.

Mr. Jenkins. Oh, you didn't understand Senator McClellan's

questions; is that what you are saying?

Private Schine. Apparently I haven't, sir.

Mr. Jenkins. Mr. Schine, did you not understand that Senator McClellan was asking you about a meeting between you and other members of the staff at the Colony Restaurant at which time there was a photograph present? Didn't you understand that?

Private Schine. I understood he was asking me about a photograph. Mr. Jenkins. That was only one occasion, and that was Monday night of this week. That is correct. You have answered that before. Private Schine. I don't get the question, sir.

Mr. Jenkins. Didn't you tell Senator McClellan in direct response to a direct question that he asked you, to wit, whether or not it now develops 3 days ago your longtime acquaintance, George Anastos,

was present, and you stated you didn't remember?

Senator McCarthy. Mr. Chairman, a point of order. He stated he did not remember whether George Anastos was there last Friday night. The counsel is now asking him about Monday night. Let's be fair with this young man, who had no notice he was to be called here. Let me make my point of order. This is on a point of order. Let's have it clear here that this young man was picked up and set in the witness chair and instructed that he could only be questioned about the authenticity of this photograph of him and Stevens. Mr. McClellan was asking him about a meeting or dinner Friday night at the Colony. Somebody else asked him about a dinner Thursday night.

Now the counsel—I think it is completely unfair—you say to him, "You told Mr. McClellan you didn't know who was with you Monday night." He did not. He told Mr. McClellan he didn't know who was

with him Friday night.

Mr. JENKINS. He was asked, and he concedes that he was asked, and I am asking him now if Senator McClellan wasn't asking you about a meeting at the Colony Restaurant when a photograph was present. Isn't that what Senator McClellan asked you?

Private Schine. Yes, sir, he was.

Mr. Jenkins. All right. That is what I understood.

Private Schine. Yes, sir.

Mr. Jenkins. If you have now pinpointed the date as Monday night of this week-

Private Schine. I believe it was Monday night, sir.

Mr. Jenkins. Very well.

Senator McCarthy. Mr. Chairman.

Senator Mundt. Have you a point of order?

Senator McCarthy. Yes. I took counsel's word for it when he said we would only discuss this photograph of Stevens and Schine. For that reason I didn't go into other meetings at the Colony Restaurant or elsewhere. I think we should make it clear now that if we are going to interrogate Mr. Schine about what color ice cream he ate on a certain night, who was with him on various nights last week, we have opened the door far beyond this picture, and when it comes my turn to question him I will do exactly as counsel is doing—I will go beyond the photograph.

Mr. Jenkins. I did not ask him about the quality or color of ice cream he was eating on that occasion. He volunteered it.

Senator Mundt. That is correct.

Mr. Jenkins. Mr. Schine, this question-

Private Schine. Yes, sir.

Mr. Jenkins. You have stated that Senator McClellan asked you about a meeting at the Colony Restaurant at which a photograph was present. Your reply was that you did not remember whether George Anastos was there. I now ask you this question: State whether or not on Monday evening of this week, the 26th day of April, there was a meeting between you and other members of the staff at the Colony Restaurant here in the city of Washington, at which time you brought a photograph which you apparently now have before you, and I ask you whether or not on that occasion George Anastos was present?

Private Schine. Sir, I believe it was Monday night, and I do not

believe that George Anastos was present, sir.

Mr. Jenkins. Then why did you tell Senator McClellan a little while ago that you didn't recall whether he was present or not?

Private Schine. Because I hadn't thought about it at all, sir. Mr. Jenkins. And why do you tell me now that you believe he wasn't present?

Private Schine. Because since I was first asked the question, I have

been given a few minutes to refresh my memory.

Mr. Jenkins. Can you say "Yes" or "No," he was present or he was not present, and will you do it?

Senator McCarthy. Mr. Chairman.

Mr. Jenkins. I think, Mr. Chairman, it is a perfectly legitimate question, I know it is, and I think we are entitled to an answer now without any interruption. I insist upon it.

Senator Mund. There is no question about its being a proper

question.

Mr. Jenkins. The question is now: Will you say "Yes, George Anastos was present," or will you say, "No, he was not present"? That is three short nights ago, about which you have testified, Mr. Schine.

Private Schine. All I can say, sir, is that I do not believe he was present. You see, I did not have the picture of George Anastos, and

I do not believe he was there, sir.

Mr. Jenkins. But you will not say definitely one way or the other, is that it? Is that what you want the committee to understand and judge of the weight of all your testimony in the light of your last

answer? Is that right?

Private Schine. Sir, I was not paying particular attention to which members of the staff were present. I sat down at one end of the table and pulled out whatever they had asked me to bring. It was at the close of the dinner. I would not say definitely whether George Anastos was there or not, but I would say that I would be willing to bet you-

Mr. Jenkins. No, don't bet me.

Private Schine (continuing). That he was not there.

Mr. Jenkins. But, Mr. Schine—and I hope this is the final question—you are content to leave it as it is, to leave your answer as it is, and for these seven men on this committee to judge of the weight of the testimony and of the weight they will attach to it in the light of the last answer you made. You are content to do that; is that right or not?

Private Schine. If the committee wants to consider—Senator McCarthy. A point of order, Mr. Chairman.

Private Schine (continuing). That my future testimony shall be overned—

Senator McCarthy. A point of order, please. Senator Mundt. The Senator will state it.

Senator McCarthy. I have a very important point of order. Mr. Chairman, I think in view of the fact that Mr. Schine was called here without warning, notified that his testimony would only concern the photograph of Stevens, and he is a private in the Army, he is not flanked with counsel—when the Secretary of the Army was asked about charges that he deliberately made, put in writing months ago, there was no cr. ticism at all when he said, "I have to go back tonight and think it over," even though it was material subject of his charges. I think this abuse of the private who sits here alone, with no warning, is completely improper.

I am satisfied that the American people who are watching this judge the difference in the treatment of Private Schine without counsel, without warning, and the Secretary of the Army Stevens who is given—let me finish my point of order—overnight upon request, no criticism at all, no abuse. He is allowed to go home and figure out the statement by consulting with his counsel. I think it is a very unfair and improper thing to do. Maybe it will serve a purpose

because the American people are watching this spectacle.

Mr. Jenkins. Mr. Schine, do you consider that I have abused you

this afternoon, in any way or to any degree?

Private Schine. I would say, sir, that I am trying to cooperate with you in every—would you like me to finish or do you have something further to ask?

Mr. Jenkins. Will you answer my question first?

Private Schine. I would say, sir, that I have tried to answer all of your questions.

Mr. Jenkins. Now I didn't ask you that.

Private Schine. I am in the process of answering your question. Mr. Jenkins. Do you consider that I have abused you in any wise,

or to any degree this afternoon, in cross-examination of you?

Private Schine. Sir, I have tried to answer all of your questions, to the best of my ability, and you have been firing them very rapidly; and I think that I can try to answer them either rapidly, or with time to consider more exactly the specifics that you are seeking.

As to whether you have abused me or not, I can say, sir, that if you

are abusing me, it doesn't bother me.

Mr. Jenkins. Suppose, Mr Schine, that we take it slowly and easily. Now suppose, Mr. Schine, that we take it slowly and easily. I want to

ask you the same question that I asked you again.

You have been asked about the meeting at the Colony Restaurant Monday night of this week, at which time you brought a photograph which you now have before you. You were further asked whether or not George Anastos was present. Your answer was that as I recall, you were not definitely sure one way or the other; that you certainly would not give a positive "yes" answer or a positive "no" answer; is that correct?

Private Schine. Yes, sir, because this was not a meeting, as such. The members of the staff were there eating very late in the evening, and I came in and went to one end of the table, and sat down to talk with Mr. Cohn and Mr. Carr, and everybody left very shortly thereafter, and I didn't pay much attention to who was present.

Mr. Jenkins. Now, Mr. Schine, are you content to leave your

answer as it is?

Senator McCarthy. Mr. Chairman—— Mr. Jenkins. And for this committee—— Senator McCarthy. A point of order.

Mr. Jenkins. And judge the weight it will give your testimony in

the light of the last answer you made? Senator McCarthy. Mr. Chairman. Mr. Jenkins. Are you content?

Private Schine. I am content, sir. Senator McCarthy. A point of order, Mr. Chairman.

Senator MUNDT. State it.

Senator McCarthy. I want to make the very strong point of order that this is the most improper exhibition I have ever seen. You have a lawyer here who brags about being one of the greatest criminal lawyers in the country, badgering this private and he has told him 10 times now that he doesn't know whether or not George Anastos was there, but to the best of his recollection Anastos was not there.

He can't gain anything further by badgering this Army private. I

think it is indecent, and I think the Chair should condemn it.

Senator Mund. The Chair believes that the counsel is proceeding with complete propriety, in doing the same thing in a searching way with this witness as he did with Secretary Stevens; and if this witness should decide that he wants to have time to think it over, and Mr. Stevens did make such a request, I am sure the Chair and committee will give him the same consideration.

The Chair overrules the point of order.

Private Schine. I have already asked whether Mr. Jenkins wants

me to find out for certain who was there.

Senator McCarthy. A question, Mr. Chairman, a formal point of order. May I ask now for my future information how many times we will go on and sit here and have this question reasked, and how many times it can be asked over before it is badgering.

Senator Mund. The Chair will rule that counsel should continue to ask questions of witnesses, until he thinks he has exhausted every possibility of getting every bit of information that they have.

Mr. Jenkins. I will discontinue the questioning of this witness when I get an answer. And allow me to make this further statement: It was stated by Senator McCarthy just now, publicly, that counsel for this committee bragged about being a great criminal lawyer or the greatest in the country, or in Tennessee. The Senator was never more wrong in his life.

I am bragging about one thing and one thing only, and that is that to the best of my ability I am pursuing this investigation in order to develop the facts, let the chips fall where they will, and regardless of personalities. That is all that I am bragging about. And I brag

about it.

Now, Mr. Schine, if you will give me an answer to this question, yes or no, I shall have finished with you.

I can ask it, and I can ask it just in the most gentle tones of which I am capable. You were asked whether or not you attended a meeting at the Colony Restaurant, at which time you and other members of the committee were present, at which time you carried with you a photograph which you have exhibited; and your answer was in the affirmative. And you further answered that it occurred on Monday night, the 26th day of this month, and you were further asked if George Anastos, whom you say you have known for months was present on that occasion, and who is likewise a member of the committee, and your reply was that you refused to state definitely whether he was there or whether he wasn't there.

I now ask you, are you content to allow this investigating committee to evaluate your testimony given here today, in the light of your refusal to say whether Anastos was present Monday night or

not? Are you or are you not?

Private Schine. The committee, sir, as far as I am concerned, will judge me not merely by the testimony of a few minutes, but by my entire testimony. If they wish to judge my credibility by questions about dates, I have no way of stopping them, sir, and I am certainly content that they do that.

Mr. Jenkins. And you were given an opportunity to have counsel

here this afternoon?

Private Schine. Sir, I was told when I was called to this room that I would be asked about the photograph that was taken at McGuire Air Force Base, and I was given about 5 minutes' notice to refresh my memory on the matter of the photograph taken at McGuire Air Force Base. I was not told that I would be asked about anything else, sir.

Mr. Jenkins. Do you now desire counsel?

Private Schine. I think, sir, that at least I should talk with counsel

about whether I should have counsel or not, sir.

Mr. Jenkins. Mr. Chairman, in view of that answer, I think that it would be improper and unfair for me to pursue this cross-examination any further. And I shall not do so until Private Schine has decided whether or not he desires counsel present.

Senator Mund. The Chair has a question to ask, on which he will not require counsel. It has to do with the two photographs which the Chair did not have an opportunity to examine, except from the rear, up until the current colloquy has given him ample time to do so.

Will you hold those two photographs, Private Schine, so that you can see them and so that Mr. Welch can also see them, because I

want to be sure that what I ask is correct.

Mr. Welch will correct me, if I am wrong. There has been some testimony up to now about there being two different prints because of a difference at the left where a hand and an arm have been deleted from one picture and included in the other, and the difference in the

insignia at the right.

I ask you, Private Schine, to look at the bottom of the big picture, and Mr. Welch to look at the bottom of the big picture, and tell me whether I am right or wrong in the fact that in the big picture the bottom of Colonel Bradley's coat looks to be a couple of inches, on the big picture, from the bottom of the ground, or from the top of the ground? Is that right, Private Schine? Of the big picture, and on the big picture does it not show a space between the ground and the colonel's coat?

Will you hold it up? I may have my question reversed.

That is correct. Can you see the bottom of the colonel's coat in that picture, the topcoat?

Private Schine. I don't believe the colonel has a topcoat on, sir.

Senator Mundt. Turn it around. And I am all wrong, if that is

It is your coat that I am talking about and not the colonel's. Is it possible to see the bottom of your coat in the big picture?

Private Schine. Yes, sir, in the big picture it is possible to see the bottom of my coat.

Senator Mundt. Will you look at the small picture and see whether

it is possible to see the bottom of the coat?

Private Schine. It is not possible to see the bottom of the coat in the small picture, sir.

Senator Mundr. Will you look at the picture of Secretary Stevens,

on the big picture?

Private Schine. Yes, sir.

Senator Mund. In the big picture, is it possible to see the bottom of the topcoat that Secretary Stevens has in his arm, showing a considerable-

Private Schine. It is, sir.

Senator Mundt. Look at the small one. Is it possible there to see the bottom of Secretary Stevens coat?

Private Schine. It is not possible, sir.

Senator MUNDT. Which would certainly indicate that either one of two things must have taken place, either there are two different prints involved, or else through some kind of photographic maneuvering with which this chairman is not familiar, it apparently was possible to contract the bottom of the picture without contracting the top of the picture. Because at the top of the picture, had it been pulled down correspondingly, you would have pretty well decapitated the witnesses who showed up in the picture.

Private Schine. Yes, sir.
Senator Mundt. I just wanted to have that in the record. And I wanted Mr. Welch to have that because no one had called attention to those two discrepancies prior to that time. I have no further questions.

Senator McClellan?

Senator McClellan. Mr. Chairman, in view of this statement, that the witness has made, that he would like to seek the advice of counsel, as to whether he should have counsel-

Senator Mundt. Go ahead, Senator McClellan.

Senator Jackson. A point of order, Mr. Chairman! Senator Mundt. Whatever it is, it will be overruled.

Senator Jackson. I am wondering how the photographers are going to get out of this one. They not only have been standing up in front but now they stand up in front and push the water on the chairman.

Senator Mundt. It is just one of the occupational hazards.

Go ahead, Senator McClellan.

Senator McClellan. Mr. Schine, I was saying to you, when this accident occurred—I trust it is an accident—I was saying to you that I would not, in view of the statement you have made that you would like to consult with counsel to ascertain whether you need or shall want counsel with you, and in view of that, and in an effort to further expedite these hearings, I shall not ask any further questions at this

Private Schine. I am prepared to answer any questions about the

photograph taken at McGuire Air Force Base.

Senator McClellan. Well, I am interested in the questions I asked you first, about your interest in a photograph and whether it was this

photograph or not, on another occasion.

Private Schine. As I testified, sir, they were different photographs. Senator McClellan. I understand you have, but I do not want to interrogate you further, if you feel that you would like to consult with counsel before you proceed.

Mr. Welch. Mr. Chairman-

Senator MUNDT. Mr. Welch has a point of order.

Mr. Welch. I am in a familiar role as I look at the clock. We are 1 hour overtime, and this witness is a young private in the Army. I am old enough to know that it would be wise for him to consult with counsel, as he suggested, purely on the preliminary question of "Do I need counsel." I do not like to see a young private in the Army try to decide questions of that importance on his own behalf, and I think, sir, we should adjourn.

Senator McClellan. Mr. Chairman, I was not going to ask the private any further questions if he feels at all that he should consult with counsel or with friends as to whether he should have counsel.

Private Schine. May I ask a question of the Chair, sir?

Senator Jackson. Mr. Chairman, I think the record should disclose that at the outset, Private Schine was advised of the right of counsel, and I quite agree, and he was good enough to say that he thought he could go ahead without it, and I think that in the light of all the circumstances, there should not be any further questions until he has had the right to give this matter further consideration as to whether he would like to have counsel.

I may say that I was the one who suggested to the chairman that

that question be made clear to him, at the outset.

Senator McClellan. Mr. Chairman, I am not certain that this picture has been made an exhibit to the witness' testimony, and this is the picture that he says was present the night of the conference he had or the visit he had with staff members in the restaurant, what is the name of it?

Private Schine. The Colony Restaurant.

Senator McClellan. If it has not been, I ask that it be now made an exhibit to his testimony.

Private Schine. May I ask a question of the Chair?

Senator Mundt. You may.

Private Schine. Since I am in the Army—

Senator MUNDT. To deal with the question of the picture? Private Schine. No, sir, it deals with the question of counsel.

Senator Mundt. The Chair will admit the exhibit, and include it in the testimony and now listen to your question.

(The photograph referred to above was marked as "Exhibit No. 5"

and will be found in the files of the subcommittee.) Private Schine. Since I am in the Army, sir, and since Mr. Welch is the counselor for the Army, sir, does that automatically make him one of my counselors?

Senator Mundt. I believe not. Do any of the subcommittee members have further questions, or is it the wish of the subcommittee that we recess at this time? At the left we hear calls for recess; and how about the gentlemen at the right?

Senator Symington. I think it is in order—

Senator Mundt. It has been suggested, and I think it is quite proper, that during the course of the evening, Private Schine, you consult with your counsel and determine when you return whether you desire to have counsel or not.

Private Schine. I must say, sir, that I have absolutely no counsel, sir, and I don't know whether I can therefore consult with counsel this evening; but I shall try to, as quickly as possible, find out from some counsel whether I should have counsel at these proceedings.

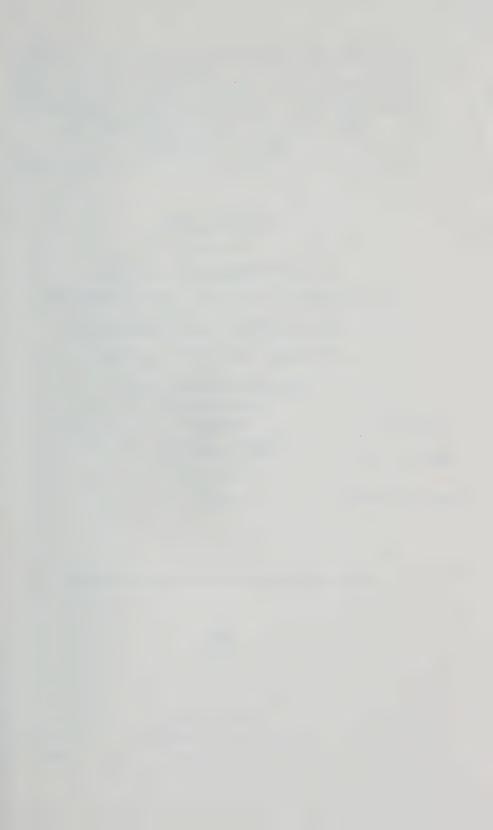
Senator Mundt. We will stand in recess until 10:30 tomorrow

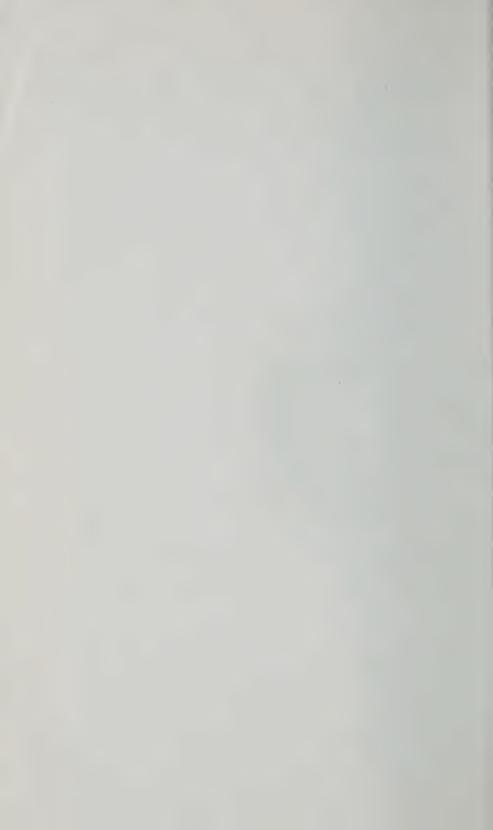
morning.

(Whereupon, at 5 · 30 p. m. the hearing was recessed until 10 : 30 a. m., Friday, April 30, 1954.)

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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION
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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

FRIDAY, APRIL 30, 1954

UNITED STATES SENATE, Special Subcommittee on Investigations of the COMMITTEE ON GOVERNMENT OPERATIONS,

Washington, D. C.

The subcommittee met at 10:45 a.m., pursuant to recess, in the Caucus Room of the Senate Office Building, Senator Karl E. Mundt,

chairman, presiding.

Present: Senators Karl E. Mundt, Republican, South Dakota; Everett McKinley Dirksen, Republican, Illinois: Charles E. Potter, Republican, Michigan; Henry C. Dworshak, Republican, Idaho; John L. McClellan, Democrat, Arkansas; Henry M. Jackson, Democrat, Washington; and Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee;

Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; and Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator Mundt. The committee will please come to order.

May the Chair remind the audience once again that we have a standing rule of the committee that there are to be no manifestations of approval or disapproval from the audience at any time in any way. And that the officers have been instructed by the committee to enforce the rule. By and large, our audience has been very courteous and very considerate in that connection.

There have been occasional deviations from the rule. Now, the Chair hopes that those deviations have been concluded, and from now on the members of the audience will faithfully conform with the rule

of the subcommittee.

The committee will come to order, and counsel— Senator McCarthy. Mr. Chairman. Senator MUNDT. Do you have a point of order?

Senator McCarthy. I would like to correct yesterday's record, if I may. Yesterday, as the Chair knows, I felt very strongly about the vigorous cross-examination of Private Schine and in objecting, made a statement to the effect that our very eminent counsel had bragged that he was an outstanding criminal lawyer and he took exception to that.

May I say, Mr. Chairman, that I took the time last night to go through all of the news stories concerning counsel's appointment and I find that some of his friends did brag, and I think rightly so, that he is one of the outstanding lawyers of the country; and I find that as far as I know, the counsel never did brag about anything he has done. I think he is a southern gentleman and I don't think he would brag, and I want to tender my apology for that statement which was made on the basis of what a lot of his good friends said about him and not what he said.

May I say that I personally will join those friends and say that I do think he is an outstanding lawyer; but he never did brag about it.

Senator Mundt. The apology will be recorded as part of the testimony.

Mr. Jenkins. Mr. Chairman?

Senator Mundt. Counsel Jenkins.

Mr. Jenkins. I think it appropriate that I make a statement at this time. I appreciate more than I can possibly say what Senator McCarthy has just publicly said. I want to say to Senator McCarthy that he owes me no apology. I accepted his statement yesterday as a statement on the part of a zealous combatant in this hearing, made without consideration, and in the heat of passion. Over the course of a professional career of a third of a century, many of my dearest and most loyal friends have said far worse. I confess my guilt in having said far worse, and all was forgiven when calm had been restored.

If I took any exception, Senator—and I assure you I did not—all was forgiven at the very moment it was said. And this further statement: I think it is known that I am not a braggart, and braggadocio is not a part of my repertoire. If Senator McCarthy ever decides, with his committee, to investigate any of my clients, I assure him that he will spend a great deal of his time in the State penitentiary at Nashville, going up and down the halls.

Senator Mundt. Very well. May the Chair express the hope that

this happy feeling will continue throughout the day.

Senator McCarrily. I assume Mr. Jenkins spent a great deal of time in the penitentiary investigating.

Mr. Jenkins. That is precisely what I said, Senator.

Senator Mundt. Very well. Counsel will call the first witness.

Mr. Jenkins. Mr. Schine was on the witness stand.

Senator Mundt. That is correct. Mr. Schine, will you come to the stand.

TESTIMONY OF PVT. G. DAVID SCHINE-Resumed

Mr. Jenkins. Mr. Chairman, I had concluded my cross-examination of Mr. Schine.

Senator Munder. The Chair would simply like to inquire of Private Schine, as he recalls—At the conclusion of the testimony yesterday you were asked whether you had counsel or desired to consult with

counsel about the possibility of getting counsel, and I wonder now, Private Schine, whether you can tell us, Do you have counsel or have

you concluded you do not want counsel, and are you satisfied?

Private Schine. Sir, I have not had the opportunity yet to talk with counsel about the advisability of having counsel. However, I am prepared to continue testifying about the McGuire photograph in order to help expedite the committee's investigation in this particular

Senator Mundt. Does the Chair understand that you are quite prepared to testify on questions dealing with the photograph without

Private Schine. I am, sir.

Senator Mundt. You have no desire to have counsel in connection with questions on that point?

Private Schine. Yes, sir.

Senator Mundr. Senator Symington has a point of order.

Senator Symington. I have had several telegrams, Mr. Chairman, and one phone call with respect to the committee not granting counsel to Private Schine. I would respectfully recommend that until he

has counsel, that no further questions be asked of him.

Senator Mundt. Well, if Private Schine does not desire to have counsel to advise him on questions in connection with the photograph, and is prepared to testify about the photograph, I see no purpose in delay if he returns on Monday or some other time again without counsel.

Senator Symington. We decided yesterday we would only question him on questions of the photograph, but the questions seem to get off the photograph.

Senator MUNDT. That is correct.

Senator Symington. In order to clarify the matter, I suggest we do not question Mr. Schine. Until he has counsel.

Senator Mundt. The Chair would suggest we try to limit our

questions to those dealing with the photograph.

Senator Jackson. A point of order. When was the request which I made the day before yesterday, advising the Army to inform Private Schine that he could attend the hearings and have counsel with him, when was that directive carried out? I would like to know that, as a point of order.

Senator Mundt. We might try to find out from Private Schine at what time the Army commander gave you the information. The Chair believes that immediately after the request was made, Secretary Stevens asked somebody to deliver the order, or at least I saw some

officer leave the room.

When did you learn about the fact?

Private Schine. I was informed by my commanding officer, sir.

Senator Jackson. The day before yesterday?

Private Schine. Yes, sir.

Senator Jackson. That you could attend and have counsel?

Private Schine. That I was granted the right to attend the hearings from this point forth, and that I may have counsel if I so desired.

Senator Jackson. So I assume he has had since Wednesday evening, then, the opportunity to think about the advisability of getting counsel.

Senator Mundr. Probably the more pertinent question would be, Private Schine, when were you advised that you were to be called to

the stand; that you were going to become a witness instead of an observer?

Private Schine. I was advised that I might be called to the stand about 1:15 yesterday afternoon, sir, and I was told to stand by for 2:30, and that I might be called to testify about the McGuire photograph; and I said I would be very happy to.

Senator Jackson. May I follow that up, pursuing this matter for a moment. May I inquire as to whether or not counsel of the committee indicated to Private Schine that he might be called as a witness? I assume counsel of the committee has been interviewing him from

time to time.

Senator Mundt. That is a question counsel will have to answer. Senator Jackson. Yes. Just to keep the record straight.

Mr. Jenkins. I am sorry.

Senator Jackson. The question, Mr. Jenkins, is this: Did you indicate during the course of interviews with Private Schine that he might

be a witness in this proceeding?

Mr. Jenkins. Yes, a witness generally, but I gave no indication that he would be called out of turn, so to speak, to testify with respect to the photographs, and I am sure that Private Schine knew nothing about it until approximately noon or shortly thereafter yesterday.

Senator Jackson. I understand that, but when did you indicate to him that he might be a witness? Is that a week ago, or the past few

days?

Mr. Jenkins. It was on the occasion of my discussing with Mr. Cohn, and others on the staff, including Private Schine, the facts at which time the question of this photograph was brought up; and I would say approximately a week ago.

Senator Jackson. Did you indicate that he could have counsel?

Was that discussed, if you recall?
Mr. Jenkins. I am sure it was not.

Senator Jackson. Mr. Chairman, I feel very strongly, as you know, from my previous requests, that when I suggested that he be invited, and that he also be advised that he have the right to counsel, that I think every consideration should be given to Private Schine to defer testifying if he so desires until he has counsel, because I do believe the right of counsel is very, very important and it is for that reason that I made the request the day before yesterday that he be so advised of his right to counsel, and appear.

Senator Mundt. May the Chair inquire—

Senator Jackson. And I think the committee ought to go out of its way, if necessary, even if it does make the hearings inconvenient, to assure to Private Schine at this time that he has an absolute right to counsel before he proceeds further.

Mr. Welch. Mr. Chairman.

Senator Dworshak. I also object to any further questioning of Private Schine unless he has counsel because I think we are merely wasting our time. I think we should proceed with some other witness until he does reappear with counsel.

Senator Potter. I have a point of order, Mr. Chairman.

Senator Mundt. Senator Potter.

Senator POTTER. Mr. Chairman, it is my understanding that Schine was called to the stand to be a witness for the sole purpose of giving

the committee information concerning this photograph. We spent

a couple of hours on it yesterday.

I think Private Schine has testified that he went to New York and got the photograph and brought it back and gave it to a member of the committee. He has testified that he had no knowledge of tampering with the photograph in any respect. I can't for the life of me understand why we are wasting so much time with Private Schine on the stand when he has already testified to the pertinent matter concerning which he is a witness.

If there is another line of inquiry, I think in fairness to Private Schine and in fairness to the members of the committee we should be informed as to what the purpose of the inquiry is and what we are seeking to find out. Otherwise, I think that Private Schine has given the committee all the information that is necessary in this case. I think we are wasting a lot of time, and in order to expedite the hear-

ings we should stick to the pertinent questions.

Senator Mundt. You mean not in this case, but in connection with

the photograph?

Senator Potter. With the photograph. I understand that is the only purpose for which he is a witness at this time. It seems to me that he has testified fully and completely concerning that photograph. I can't for the life of me understand why he is on the stand again this

morning.

Mr. Jenkins. Mr. Chairman, I am thoroughly in accord with what Senator Potter has said. I think Private Schine's knowledge of the particular point of inquiry has been thoroughly explored, and I have no further questions to ask him. If no one else has, I suggest that he be excused and that we call the next witness and proceed with the hearing.

Senator Mundt. The Chair has none. How about you, Senator

McClellan !

Senator McClellan. Mr. Chairman, at the proper time I may want to ask Private Schine another question or two, but I shall not ask him any question until he has had the opportunity to consult with counsel to determine whether he wishes counsel.

Senator Mundt. Senator Dirksen? Senator Dirkson. No questions. Senator Mundt. Senator Jackson.

Senator Jackson. Mr. Chairman, I make the same point that was made by Senator McClellan. I have some additional questions to ask him that may or may not be material in this matter. I strongly believe that there should be an affirmative answer one way or the other on his desirability as to counsel, whether he desires counsel.

I think we ought to know, say, by Monday, what his wishes are in this matter. I shall defer asking any further questions until I have

had an answer on that.

Senator Munder. Senator Potter?

Senator POTTER. No. I still contend that Private Schine has given the committee all the information that we need concerning this photograph, which was the purpose for which Dave Schine was called to the witness stand. I don't wish to keep him here any longer. It is not fair to him, and we are wasting the time of the committee.

Senator Mundt. Senator Symington?

Senator Symington. Mr. Chairman, I have some questions I would like to ask Mr. Schine, and I don't want to ask them until he has made his position clear with respect to whether or not he wants counsel and has communicated to the committee in writing. When he has a chance to find out whether he wants counsel, I think he should so tell the committee. If he does not want counsel, then we can question him without a counsel. If he does want a counsel, he most certainly has the right and should have the right to have one. I have no further questions of the witness at this time.

Senator Mundr. Are there any questions that you want the private to answer now, Senator Symington? Very well. Senator Dworshak?

Senator Dworshak. No questions at this time. Senator Mundt. Mr. Welch? There you are.

Mr. Welch. Mr. Chairman, I had 1 or 2 questions that I wanted to ask, and, like the other Senators, I feel very deeply that this witness should at least consult with a lawyer as to whether or not the lawyer advises him that he should be represented by counsel, before he is questioned further. The decisions, as I indicated last night, are, I think, somewhat more grave than this young private might understand, without the opportunity to talk to a lawyer of high standing.

Senator Mundt. Senator McCarthy?

Senator McCarthy. No questions. I would merely like to second

wholeheartedly what Senator Potter has just said.

Senator Mundt. Very well, Private Schine, the Chair would like to request that between now and Monday morning you consult with counsel if you propose to consult with counsel, and that the next time you are called to the stand you come prepared, while testifying under oath, to tell us whether you desire counsel or not. Will you do that?

Private Schine. Yes, sir. Senator McCarthy. Mr. Chairman, I think the record should be clear that Private Schine this morning volunteered that he would be glad to answer any questions with regard to the photograph, without counsel.

Is that correct, Private Schine?

Private Schine. Yes, sir.

Senator McCarthy. And as to other matters that might be inquired upon, you want to consult counsel to determine whether or not you want a lawyer?

Private Schine. Yes, sir.

Senator MUNDT. The Chair hears no other questions-

Senator McClellan. Mr. Chairman. Senator Mundt. Senator McClellan?

Senator McClellan. No one is waiving his right to further interrogate this witness about the picture by passing until such time as he can determine whether he wishes counsel?

Senator Munder. That is understood.

Senator McClellan. I do not want any implication that no further questions were desired at this time with respect to the picture. I do not know whether I shall want to or not, but I do feel that he should be given every opportunity to determine whether he wishes counsel.

Senator Munder. That is understood, and the Chair has just stated that in the circumstances which confront us, it appears that no member of this committee and no counsel desires to ask further questions.

If that is correct, the witness will be dismissed until recalled, with the understanding that if recalled on Monday or the next time recalled, you will be prepared to tell us about your counsel connection. Private Schine. Yes, sir. May I say just one thing?

Senator Mundr. I guess you might.

Private Schine. I have thought about my testimony yesterday concerning the McGuire photograph, and I believe I have given an exact account of the circumstances relating to the McGuire photograph.

Concerning the Colony Restaurant, I have checked to see whether I was right in stating that George Anastos was not there, and he

informs me that he wasn't there.

Senator Potter. That he was not?

Private Schine. Yes, sir.
Senator Mundt. The witness is dismissed until further called.

Private Schine. Thank you, sir.

Senator Mundr. Counsel will call the next witness.

Mr. Jenkins. Mr. Chairman, I want as the next witness Mr. George

Senator Mundt. Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Anastos. I do.

Senator Mundt. You may proceed.

TESTIMONY OF C. GEORGE ANASTOS

Mr. Jenkins. Will you tell the committee your full name, please?

Mr. Anastos. C. George Anastos; "C" for Cosmas.

Mr. Jenkins. What position do you hold, Mr. Anastos?

Mr. Anastos. I am assistant counsel with the Senate Permanent Subcommittee on Investigations.

Mr. Jenkins. How long have you been thus employed?

Mr. Anastos. Since sometime in September.

Mr. Jenkins. Will you come up closer to the microphone, please.

Senator Jackson. I did not get the nature of the position.

Mr. Anastos. Assistant counsel, sir.

Mr. Jenkins. To the Senate Investigating Committee?

Mr. Anastos. Yes, sir. Mr. Jenkins. Mr. Anastos, I will ask you whether or not within recent days a photograph was delivered to you by Mr. Schine.

Mr. Anastos. Yes, sir. Mr. Jenkins. When did that occur?

Mr. Anastos. It was on Thursday last when, after I had met Private Schine at the airport and we came back to the Senate Office Building to Room 101, at which time Private Schine delivered a bundle of papers onto the desk of Frank Carr in Room 101. As I recall, he said, "You want this," or something like that, sir.

Mr. Jenkins. Was that bundle or package opened in your presence?

Mr. Anastos. No, sir.

Mr. Jenkins. Did you ever see the contents?

Mr. Anastos. At a subsequent time—

Mr. Jenkins. But at that time? Mr. Anastos. No, sir.

Mr. Jenkins. Did Private Schine tell you what the bundle con-

Mr. Anastos. I believe that when we got to Room 101 there was mention made of a photograph.

Mr. Jenkins. You say that it was laid on the desk of Mr. Carr? Mr. Anastos. Yes, sir.

Mr. Jenkins. Who was present at that time, Mr. Anastos?

Mr. Anastos. Mrs. Frances Mims. Mr. Jenkins. I did not get the name. Mr. Anastos. Frances Mims, sir. Mr. Jenkins. Mrs. Frances Mims.

Senator Mundt. The secretary of the committee.

Mr. Jenkins. Who is she?

Mr. Anastos. A secretary on the subcommittee.

Mr. Jenkins. Was anyone else present besides you, Mr. Schine, and Mrs. Mims?

Mr. Anastos. I am pretty sure there was not anybody else present, sir, because as I recall the hearings were going on and most of the staff were up here.

Mr. Jenkins. As I understand it, you were not present when the

package was opened.

Mr. Anastos. That is right. That is correct, sir.
Mr. Jenkins. That is correct. You say that you later saw the con-

tents of the package?

Mr. Anastos. Well, at a subsequent time I was told to bring some papers up to the committee room here. As I recall, I think Frances sort of opened—she did not actually—she partly opened it, I guess, to take a look at the photograph. I kind of looked, but I did not get a real good look at the thing.

Mr. Jenkins. Did you see the entire photograph which you

brought up here to be introduced as evidence?

Mr. Anastos. No, sir; no, sir.

Mr. Jenkins. You do not know, therefore, whether there were 2 or 3 people shown in the photograph?

Mr. Anastos. Absolutely not, sir.

Mr. Jenkins. Did you ever at any time see the original photograph delivered to you in that package, assuming that it was in the package, by Mr. Schine?

Mr. Anastos. No, sir.

Mr. Jenkins. Mr. Anastos, if a person's picture was cut out of the original, if that did occur, do you know anything about it whatever?

Mr. Anastos. No, sir.

Mr. Jenkins. Did you have anything to do with it?

Mr. Anastos. Absolutely not, sir.

Mr. Jenkins. Then the last time that you saw the original package delivered to you by Mr. Schine was in room 101, in Mr. Carr's office, at which time you, Mr. Schine, and Mrs. Mims were present, is that correct?

Mr. Anastos. The last time?

Mr. Jenkins. Yes, that you saw that original package?

Mr. Anastos. You mean as it was delivered by Private Schine?

Mr. Jenkins. As delivered to you by Mr. Schine?

Mr. Anastos. Yes, sir; that is right.

Mr. Jenkins. Mr. Anastos, did anyone ever tell you that they knew anything about anyone altering or changing or cutting out an individual from that picture?

Mr. Anastos. There was talk about the photograph being brought down stairs, to the photograph room; but I don't know anything of

my own personal knowledge.

Mr. Jenkins. Do you know anything from what anyone told you about who, if anyone, did cut out one of the individuals in the original picture?

Mr. Anastos. I do not know who cut out, if they did cut it out. Mr. Jenkins. One other question, Mr. Anastos, or two others, now. To whom did you deliver the picture here in this room last

week?

Mr. Anastos. Well, I was told to bring up the papers, which included the wrapped-up photograph.

Mr. Jenkins. And to whom did you deliver it?

Mr. Anastos. Up to Jim Juliana, and, as I recall, he met me half way down this aisle, and I handed it to him.

Mr. Jenkins. He is a member of the staff?

Mr. Anastos. Yes, sir.

Mr. Jenkins. Mr. Anastos, did you attend a dinner or a party or a gathering at the Colony Restaurant here in Washington on Monday night of this week?

Mr. Anastos. Absolutely not, sir. As a matter of fact, fortunately, I had dinner with two other men that evening, at Pierre's Restaurant,

here in town.

Mr. Jenkins. I have no other questions, Mr. Chairman.

Senator MUNDT. The Chair gathers from that last remark that if there continues to be any question about where you were Monday night you are able to provide two witnesses as to where you were, is that correct?

Mr. Anastos. Absolutely, sir.

Senator Mundt. And it was not the Colony Restaurant?

Mr. Anastos. That is right, sir.

Senator Munder. I have one other question: Does the Chair understand your part in this photograph transaction to be strictly limited to having received a wrapped package covering something which you believed to be a photograph, but which you did not see, and transmitting that wrapped package to a third party?

Mr. Anastos. Well, as I say, it was on the desk and I never handled

it.

Senator Mundt. You never handled it at all?

Mr. Anastos. No, except that at a subsequent time I brought it up to

this room.

Senator Mund. One other brief comment. The Chair asked a number of questions yesterday which grew out of the fact that the big picture and the small original seemed to be considerably different from the standpoint of the amount of coat shown at the bottom of the picture, and so forth.

Now, there is a paucity of information about enlargements and contractions, and changes of photographs. That begins to be rather pertinent, and it may or may not be. But some of his photographic friends told him afterward, and he simply wants that to be in the

record, that it is possible to take off the bottom of the picture without

taking off the top and vice versa.

So that the Chair doesn't know whether his questions are very pertinent or not, or whether what we have before us is a photograph which has twice been amputated, instead of being amputated only once. I simply want to say that there may not have been much pertinency to my questions on that score.

Senator McClellan, it is your turn to ask questions if you have any. Senator McClellan. I didn't quite understand you a while ago, Mr. Anastos. You brought the picture from the airport and laid it

on a desk in what office?

Mr. Anastos. Sir, I didn't bring it from the airport. Private Schine handled the whole thing, and he brought it in, and he delivered it. I suppose he means he delivered it to me by putting it on the desk, but as I say, as I recall he said something like "Here it is," or "Here is the stuff," or something like that.

Senator McClellan. I may have misunderstood him, and I am not raising any question about it; I thought he testified that he

delivered it to you.
Mr. Anastos. Well, I don't know-

Senator McClellan. Did he?

Mr. Anastos. Sir, he did not give it to me; I did not take it from his hands. He came and put it on the desk.

Senator McClellan. Who else was in the room when he laid it on

the desk in your presence?
Mr. Anastos. That is right, sir.

Senator McClellan. I ask you who else was present at the time he laid it on the desk, in your presence?

Mr. Anastos. Mrs. Frances Mims.

Senator McClellan. Did he tell you he was delivering the picture

Mr. Anastos. He didn't say he was delivering it to me, or anything

Senator McClellan. Well, now, he said that he delivered it to you; is that correct or not? I don't know and I am just asking you and he has testified.

Mr. Anastos. Sir, he didn't say; as I recall, he said, "Here it is." Senator McClellan. Did you take possession of the picture at any time?

Mr. Anastos. No. sir.

Senator McClellan. You are positive you did not?

Mr. Anastos. Absolutely not.

Senator McClellan. Then it was not delivered to you?

Mr. Anastos. No, sir, in that sense that he didn't—Senator McClellan. Was it delivered to you in any sense?

Mr. Anastos. Well, sir, I don't know what he has in his mind. Senator McClellan. I don't either. I am asking you, and you are

one of the parties.

Mr. Anastos. Sir, he may have delivered it in a sense that he thought he was giving it to my custody, or my possession, but I never took possession or custody of it.

Senator McClellan. If he thought he was doing that, he was mis-

taken, and you didn't take custody?

Mr. Anastos. Yes, sir.

Senator McClellan. Is that right?

Mr. Anastos. Yes, sir.

Senator McClellan. So you know nothing about it except it was left there on the desk?

Mr. Anastos. Yes, sir.

Senator McClellan. It was on the desk when you left the room?

Mr. Anastos. Yes, sir.

Senator McClellan. Who else was present when you left?

Mr. Anastos. Mrs. Frances Mims was there.

Senator McClellan. Mrs. who?

Mr. Anastos. Mrs. Mims.

Senator McClellan. That is all you know about it? Mr. Anastos. Yes, sir; and I walked out of the room.

Senator McClellan. That is all, Mr. Chairman.

Senator Mundt. Senator Dirksen.

Senator Dirksen. I have no questions.

Senator Mundt. Senator Jackson.

Senator Jackson. Why did you go to the airport?

Mr. Anastos. I was told to go there, sir.

Senator Jackson. Who told you to go to the airport?

Mr. Anastos. Mrs. Mims told me that she had received a message from Mr. Cohn, for me to go to the airport and meet Private Schine and bring him to the office.

Senator Jackson. Had you been advised of the nature of his trip

to New York?

Mr. Anastos. No, sir.

Senator Jackson. And you hadn't heard anything about his having a picture with him when he arrived?

Mr. Anastos. No, sir, I didn't know that he had a picture with him. Senator Jackson. All you know it that you received instructions to meet him at the airport?

Mr. Anastos. Yes, sir.

Senator Jackson. And to bring him in. Mr. Anastos. That is right, sir.

Senator Jackson. To the office?

Mr. Anastos. Yes, sir.

Senator Jackson. Did you at any time, at any time during this period, hear any conversation or discussion about cutting down the size of this picture in controversy?

Mr. Anastos. No, sir.

Senator Jackson. You never heard any discussion in the office or elsewhere with anyone about it?

Mr. Anastos. No. I had nothing to do with the blowing up or

taking negatives of the thing.

Senator Jackson. Not only did you not have any knowledge directly, you did not hear about anything in connection with it? Mr. Anastos. Afterward, sir, after the point had been raised.

Senator Jackson. In the hearings here?

Mr. Anastos. In the hearings.

Senator Jackson. No, I meant prior to that.

Mr. Anastos. No, sir, I did not.

Senator Jackson. All you heard about was some talk in the office about the photo being brought downstairs. You testified that you heard talk in the committee room-

Mr. Anastos. Oh, yes, when we were being interviewed by Mr. Jenkins' staff.

Senator Jackson. I meant up until the time the picture was introduced in evidence on Monday.

Mr. Anastos. Oh, no, I didn't. Senator Jackson. That is all. Senator Mundt. Senator Potter.

Senator Potter. Did you testify to the fact that you did not see the photograph again from the time the package was opened in the office, room 101, until you were asked to bring the photograph up to Mr.

Mr. Anastos. As I recall, Senator, just before I was to take the photograph and some other papers up to this room, Frances Mims, I think, kind of took a peek at it or something like that. I kind of looked over it, but I did not get a real good look at the picture at all.

Senator Potter. You did not examine the photograph?

Mr. Anastos. No, sir, I did not.

Senator Potter. You have no knowledge of any work being done on the photograph, you were not present when anything was done to the photograph?

Mr. Anastos. No, sir.

Senator Potter. The only suggestion I have, Mr. Chairman, is that if we are going to continue to bat around the names of restaurants here in Washington, we should charge for commercials. [Laughter.]

Senator Mundt. The Chair must remind the Senator that commercials have been eliminated from the broadcast in accordance with the committee rules. Senator Symington.

Senator Symington. Do you state definitely this picture was never

in your custody?

Mr. Anastos. I have never done anything with it. It was left—

Senator Symington. Did you ever touch it?

Mr. Anastos. I may have put my hand on it, you know, when it was still covered over.

Senator Symington. But you state you did not ever have custody of it, or did have. That is, physical custody of it.

Mr. Anastos. I never really handled it as such; no, sir.

Senator Symington. I have no further questions.

Senator Mundt. Senator Dworshak. Senator Dworshak. No questions.

Senator Mundt. Mr. Welch.

Mr. Welch. Mr. Anastos, you are, I think, a lawyer. Is that right? Mr. Anastos. Yes, sir.

Mr. Welch. And a graduate of that somewhat suspect place, Harvard?

Mr. Anastos. Yes, sir. Mr. Welch. And you are a classmate of my brilliant young assistant, Jim St. Clair?

Mr. Anastos. I don't remember him as a classmate.

Mr. Welch. Take a look. There is a classmate of yours, I am sure.

Mr. Anastos. I remember meeting Mr. St. Clair in Boston.

Senator Munder. The committee is being deprived of this delightful colloquy. I wish you gentlemen would speak up.

Mr. Welch. I was making an introduction, Mr. Chairman. He happens to be a classmate of Mr. St. Clair.

Senator Potter. A point of order. That would not be considered

guilt by association.

Senator Mundr. The Chair so rules.

Proceed, Mr. Welch.

Mr. Welch. Mr. Anastos, I may be wrong in this, but using an underworld phrase you kind of give me the impression that you feel this picture has become "hot," is that right?

Mr. Anastos. It certainly has.
Mr. Welch. You just have a kind of a feeling you do not want to be any closer to that "hot" picture than you have to be?

Mr. Anastos. That is absolutely correct.

Mr. Welch. The closest we have got you to the "hot" picture is that you might have placed your hand on it and quickly withdrawn it. Is that right, sir?

Mr. Anastos. I did not quickly withdraw it. Mr. Welch. Maybe my gesture was too abrupt, sir. But if you did place your hand on the "hot" picture, you also reasonably promptly withdrew it, is that right?

Mr. Anastos. I didn't fondle it, sir.

Mr. Welch. I understood you to say that when Mr. Schine brought the bundle into the room, he said the picture was included; is that

Mr. Anastos. After it was brought to the room, I believe there was

some discussion as to a photograph.

Mr. Welch. Yes, he said he brought one.

Mr. Anastos. As I recall.

Mr. Welch. There were two people in that room, is that right?

Mr. Anastos. Yes, sir, three of us.
Mr. Welch. Meaning there was Private Schine, is that right?

Mr. Anastos. Yes, sir. Mr. Welch. And you? Mr. Anastos. Yes, sir.

Mr. Welch. And Mrs. Mims—is it Nims or Mims?

Mr. Anastos. Mims. Mr. Welch. M-i-m-s?

Mr. Anastos. Yes. Mr. Welch. Private Schine was not delivering the picture to Mrs. Mims, was he?

Mr. Anastos. No, sir.

Mr. Welch. So it is clear, is it not, that when he put it down in that room, he delivered it to you?

Mr. Anastos. Well, he delivered it to me in a sense.

Mr. Welch. In any old sense?

Mr. Anastos. I suppose he was delivering it to the subcommittee. Mr. Welch. You don't mean to the——

Mr. Anastos. And I am a member of the subcommittee; so in a sense he did deliver it to me.

Mr. Welch. I am talking about human beings. The human being to whom the picture was delivered was not named Mims, was she?

Mr. Anastos. Well, he could well have been delivering it to her and to me, or to me alone. I didn't know what was in it.

Mr. Welch. You just told us a minute ago he wasn't delivering it to her.

Mr. Anastos. He may have been delivering it to both of us. I suppose since the secretary and I-

Mr. Welch. O. K., will you take 50 percent possession of the "hot"

picture?

Mr. Anastos. It doesn't make any difference, sir. I would just as soon say that it was in a sense delivered to me, but it wasn't actually given to me.

Mr. Welch. Why does it take us so long to get to that point if that

is the actual fact?

Mr. Anastos. Sir, I have explained it to the subcommittee before. Mr. Welch. You say Frances, as you call her—and I don't mean to be discourteous to her—Frances opened it? Was that the phrase you used?

Mr. Anastos. Later, when it was ready to be brought up to this

subcommittee-

Mr. Welch. Oh, after you had left there, she opened it?

Mr. Anastos. No, no. I had returned. I was told to bring it up to this room.

Mr. Welch. Oh, yes.

Mr. Anastos. Just before I took that and other papers to be brought up here, as I recall she kind of pushed the thing aside, pushed the paper in the front just to take a look.

Mr. Welch. A look. And you took a little peek yourself?

Mr. Anastos. That is right.

Mr. Welch. Did you take a good enough peek so you could tell us

if the picture had a cast of three characters?

Mr. Anastos. No, sir. I didn't take a real good look. I know Schine and Mr. Stevens and, for all I know, there could have been

three or a dozen other people in there.

Mr. Welch. Mr. Anastos, had you, prior to the time that "hot" picture was brought in to that room, heard any discussion about the fact that there was in existence a picture of Secretary Stevens and Private Schine alone?

Mr. Anastos. No, sir. Mr. Welch. Not a word?

Mr. Anastos. Not alone, sir; not alone. Mr. Welch. You hadn't heard that?

Mr. Anastos. I may have heard that—when was this, sir?

Mr. Welch. Any old time.

Mr. Anastos. Oh, when I was just about to take it up to the room, at that time I knew there was a picture of Private Schine and Secretary Stevens.

Mr. Welch. Alone?

Mr. Anastos. No, I didn't know whether it was alone.

Mr. Welch. Were you in this hearing room when that picture was sprung on Mr. Stevens with the suggestion that he was scarcely telling the truth when he said he could not remember ever having had a picture taken with Private Schine alone?

Mr. Anastos. I believe I was, sir. I either was or I was watching

it on television.

Mr. Welch. Were you, as assistant counsel, preparing this case for presentation in this room?

Mr. Anastos. I have been called upon to help to a certain extent on various matters pertaining to this case, but I was not asked to do anything in regard to this photograph except to go to get Private Schine at the airport, at which time I didn't even know he had a picture with him, and then subsequently I was asked to bring this photograph and the papers upstairs in this committee room.

Mr. Welch. Will somebody help me to see the first picture that was introduced in evidence which purports to show Secretary Stevens

and Private Schine alone.

Mr. Anastos, there is at the top of this picture the word "McGuire AFB—Fort Dix, November 17, 1953." Who put that on there?

Mr. Anastos. I never saw anybody put it on.

Mr. Welch. Tell me who put it on?

Mr. Anastos. As I recall, I think that while we were being interviewed by Mr. Jenkins' staff yesterday, as I recall I heard Jim Juliana tell Mr. Jenkins' staff, Mr. Collier and Mr. Horowitz, that he had put it on the top.

Mr. Welch. All right. Now, at least we know that, that Jim Juliana put the letter G on the picture that appears on top of it—

Mr. Anastos. That is right.

Mr. Welch. After the picture was brought here, is that right? Mr. Anastos. As I recall, he told Mr. Jenkins' staff that yesterday.

Mr. Welch. And you heard it, is that right? Mr. Anastos. That is my recollection, sir.

Mr. Welch. One other thing, or two other things. When you were asked about the dinner last Monday night, and the question was put to you as to whether or not you were there, do you remember that, being asked that question?

Mr. Anastos. Yes, sir.

Mr. Welch. And I remember your answer was that, fortunately, you were somewhere else, with two other gentlemen, is that right?

Mr. Anastos. Yes, sir.

Mr. Welch. Centering your attention on the word "fortunately,"

do you also consider that that was a "hot" dinner?

Mr. Anastos. At least it has become, it seems to have become a big issue yesterday; and my name was mentioned so often at yesterday's hearings that it almost seemed as though there was a cloud over my name for having been there, or having done something, in regard to that picture where Schine appeared. General Lawton and I didn't even know about that picture until yesterday's hearing.

Senator MUNDT. Mr. Welch's time has expired.

Senator McCarthy?

Senator McCarthy. Just one or two very brief questions.

George, when did you come with the committee?

Mr. Anastos. In September of 1953.

Senator McCarthy. Where did you work prior to that?

Mr. Anastos. In the Department of Justice.

Senator McCarthy. How long had you worked with the Department of Justice?

Mr. Anastos. Almost 3 years.

Senator McCarthy. And you came in under what Attorney General?

Mr. Anastos. Attorney General McGrath, sir.

Senator McCarthy, McGrath?

Mr. Anastos. Yes, sir.

Senator McCarthy. And you served under McGrath and what other attorneys general?

Mr. Anastos. Attorney General McGranery and Attorney General

Brownell.

Senator McCarthy. Brownell?

Mr. Anastos. Yes.

Senator McCarthy. And you left the Department of Justice one day and came with the committee the next day, is that correct?

Mr. Anastos. No, sir, I gave them 2 weeks' notice, as a matter of

courtesy.

Senator McCarthy. But I mean you worked in the Department one day and the next day you were working on the committee staff? Mr. Anastos. I think it was over a weekend.

Senator McCarthy. Over a weekend?

Mr. Anastos. Yes, sir.

Senator McCarthy. You were not fired, and you resigned? Mr. Anastos. I resigned in order to take this position. Senator McCarthy. Take a job with the committee?

Mr. Anastos. Yes, sir, Senator.

Senator McCarthy. And you served under two Democrat attorneys general and under one Republican, is that correct?

Mr. Anastos. Yes, Senator.

Senator McCarthy. I have no further questions.

Senator Mundt. Does counsel have any? Mr. Jenkins. I have no further questions. Senator Mundt. The Chair has none.

Senator McClellan? Any of the Senators at my right have any further questions? At my left?

Senator Jackson. I have no questions.

Senator Mundt. Mr. Welch, do you have any further questions? Mr. Welch. Mr. Chairman, I think it is time my assistant faced the microphone, and he is going to take a short turn, and then, I think, we will be through.

Senator Mundt. Mr. St. Clair, representing the counsel in connec-

tion with Mr. Welch.

Mr. St. Clair. How are you, George?

Mr. Anastos. All right.

Senator Jackson. Is this going to be a class reunion?

Senator Munder. It appears that way.

Mr. St. Clair?

Mr. St. Clair. George, when were you first interviewed by Mr. Jenkins with reference to any of the matters presented here to this committee hearing?

Mr. Anastos. First, well, the only interview was vesterday.

Mr. St. Clair. You had never been interviewed before either alone or in conjunction with any other members of your staff?

Mr. Anastos. By Mr. Jenkins' staff?

Mr. St. Clair. By Mr. Jenkins' staff or by Mr. Jenkins?

Mr. Anastos. I don't recall.

Mr. St. Clair. Were you present when Mr. Schine was interviewed with reference to this picture?

Mr. Anastos. I don't think I was there; I may have been, I forget.

Mr. St. Clair. When did you first learn that there was in existence a picture of the description that we have had here in the last few days?

Mr. Anastos. Would you please repeat that question?
Mr. St. Clair. Would the reporter read the question?

(The reporter read from his notes as requested)

(The reporter read from his notes as requested.)

Mr. Anastos. You mean this picture?

Mr. St. Clair. Either this one or the blown-up picture or the one

that Private Schine gave us yesterday.

Mr. Anastos. Well, as I said, when I brought up a photograph, the photograph up to the committee room, I knew there was a picture of Schine and Mr. Stevens and I didn't know whether there was anybody else.

Mr. St. Clair. Was inquiry ever made of you, George, as to how it came about that there were only two persons in the picture that was

presented here last Monday?

Mr. Anastos. Well, I think after Mr. Welch had raised the point of somebody, of a third person being cut out of the picture, naturally downstairs in our office there was general speculation and discussion as to what had happened.

Mr. St. Clair. Who was there? Was Mr. Cohn there? Mr. Anastos. Well, I think practically all of them.

Mr. St. Clair. Was Mr. Cohn there?

Mr. Anastos. Well, I don't know. I have heard him discuss generally the question of what had happened in connection with the picture.

Mr. St. Clair. In that connection, did you learn that someone had

cut off a third person from the picture?

Mr. Anastos. Well, I never found out if anybody had given any particular—

Mr. St. Clair. Just answer the question. Did you learn that someone had cut off a third person from the picture?

Mr. Anastos. Well——

Mr. St. Clair. Just answer "Yes" or "No" if you can.

Mr. Anastos. Well, I learned, yes. Mr. St. Clair. When did you learn that?

Mr. Anastos. Up at the hearing.

Mr. St. Clair. You didn't learn it down below?

Mr. Anastos. I guess it was understood that a third person had been omitted.

Mr. St. Clair. Now I want to read you, George, part of Mr. Cohn's testimony, on page 629 of the transcript which reads as follows:

I now find on inquiry of a member of the staff that they saw some third person who was not recognizable, and was not recognized standing to the side; that Mr. Stevens and Mr. Schine were facing each other, and looking at each other. There was a third person standing on the side and they thought that third person had no relevancy, and had nothing to do with it, and that the picture wanted was a picture of Stevens and Schine.

Were you the person that gave Mr. Cohn that information, George?

Mr. Anastos. Well, we have discussed—

Mr. St. Clair. Just answer the question. Were you the person that gave Mr. Cohn that information?

Mr. Anastos. I may have been one of a number of people.

Mr. St. Clair. So you knew it then?

Mr. Anastos. You mean after the hearing?

Mr. St. Clair. No, you knew there was a person there who was not recognizable in the language of Mr. Cohn?

Mr. Anastos. Oh, no, sir.

Mr. St. Clair. And that someone thought it was not relevant, is that right?

Mr. Anastos. No, sir.

Mr. St. Clair. You weren't the person that informed Mr. Cohn of that fact, then?

Mr. Anastos. No, sir.

Mr. St. Clair. Do you know that there was a member of the staff of the subcommittee?

Mr. Anastos. Well, sir, I know there has been. We have generally,

at various times, discussed the legal points involved.

Mr. St. Clair. The question, do you know that it was a member of the staff of the subcommittee?

Mr. Anastos. I may have heard something like that.

Mr. St. Clair. From whom did you hear it?

Mr. Anastos. I don't recall. I know we all, members of the staff——Mr. St. Clair. You believe Mr. Cohn's testimony, don't you?

Mr. Anastos. Which testimony?

Mr. Sr. Clair. To the effect that there was a third person there, and that he said was unrecognizable, and that a member of the staff had cut it out.

Mr. Anastos. Well——

Senator McCarthy. I have been sitting here patiently through all of this nonsense, and this is a waste of time. It is obviously improper and this young man knows it, to ask a witness to evaluate another witness' testimony, and to ask whether he believes it or not.

Only the committee can determine whether or not they believe the testimony. I think that we should be done with this waste of time.

Senator Mundt. You may proceed, Mr. St. Clair.

Mr. St. Clair. Mr. Chairman, may I have an answer to the

question?

Senator McCarihy. Mr. Chairman, the point of order was to the question, that you cannot ask one witness to evaluate another witness's testimony.

Senator Mundr. We will have the question reread at this time,

so we will know what the question was.

(The question was read by the reporter.)

Senator McCarthy. Will you reread the whole question? The ques-

tion is whether or not he believes Mr. Cohn's testimony.

Senator Mundr. We are trying to determine whether or not the question is asking the witness to evaluate the testimony of another witness.

(The record was read by the reporter.)

Senator Mund. The point of order will be sustained. I do not believe that one witness should be called upon to evaluate the testimony of another. The timekeeper has advised the Chair that Mr. St. Clair's time has expired.

Mr. St. Clair. Thank you, Mr. Chairman.

Senator Mundt. Senator McCarthy, have you any questions?

Senator McCarthy. No questions, Mr. Chairman.

Senator Mundt. Counsel?

Mr. Jenkins. None here, Mr. Chairman.

Senator Munder. The Chair has none.

Senator McClellan?

Senator McClellan. No questions.

Senator Mundt. Any Senators to my right? To my left?

Mr. St. Clair or Mr. Welch, if you have further questions, you may ask them now.

Mr. St. Clair. I called to your attention, George, that Mr. Cohn testified the other day that he in substance made an inquiry of a member of the staff and learned from him that a third person had been on the picture. You are not the person that Mr. Cohn inquired of, is that correct?

Mr. Anastos. No, absolutely not.

Mr. St. Clair. Do you know who the person was Mr. Cohn inquired of?

Mr. Anastos. No, sir.

Mr. St. Clair. When did you first learn that there was a picture of the Secretary and Private Schine alone?

Mr. Anastos. I never knew that they were necessarily alone.

Mr. St. Clair. You never knew that?

Mr. Anastos. No.

Mr. St. Clair. Did you have much to do with the preparation of this case for the committee?

Mr. Anastos. Some.

Mr. St. Clair. This is the only tangible piece of evidence produced by the subcommittee so far, is it not, or at least the first piece?

Mr. Anastos. It is not for me to decide.

Mr. St. Clair. This is the first piece, wasn't it?

Mr. Anastos. I have not been here at all the hearings, and I do not remember whether there were some others.

Mr. St. Clair. Was the photograph produced by the staff a matter

of elation when it was produced and prior thereto?

Mr. Anastos. I did not attach any great importance to it. I thought it was one bit of evidence that would be helpful in the case.

Mr. St. Clair. When did you first have that thought, George? Mr. Anastos. When I first learned that there was a photograph.

Mr. St. Clair. When was that?

Mr. Anastos. As I testified, shortly after Private Schine had brought the photograph in the room I believe that he mentioned the fact that there was a photograph.

Mr. St. Clair. What did he say about the photograph?

Mr. Anastos. I did not stay there very long.

Mr. St. Clair. Just answer if he said anything. What did he say about it?

Mr. Anastos. He did not actually tell me anything about the picture

such.

Mr. St. Clair. Did Mrs. Mims tell you about it? Mr. Anastos. At that particular time? No.

Mr. St. Clair. You knew some time before it was introduced in evidence that there was such a picture in existence?

Mr. Anastos. Yes.

Mr. St. Clair. From whom did you learn that fact?

Mr. Anastos. At the time that—As I say—

Mr. St. Clair. The question is, From whom, sir?

Mr. Anastos. Private Schine mentioned the fact that there was a picture.

Mr. St. Clair. What did he say about the picture?

Mr. Anastos. He just said, "I have a photograph here," or something like that. I don't remember the exact words.

Mr. St. Clair. Did he say anything about it as to who was in it? Mr. Anastos. He may have mentioned that, I don't recall.

Mr. St. Clair. You had no doubt that he and the Secretary were

in the picture, did you?

Mr. Anasros. I did not know anything about this photograph as such. I went down to pick him up and bring him over to room 101. I knew nothing about it. When he came in he brought in this and other papers. He probably said something about his being there with Stevens in the picture. That is all.

Mr. St. Clair. That is about all—

Mr. Anastos. He did not actually discuss it, go into the details. Mr. St. Clair. So you really never knew there was such a picture in existence, right?

Mr. Anastos. No, I did not really know the details of the picture.

Senator McCarthy. Mr. Chairman?

Senator Munder. Have you a point of order, Senator McCarthy? Senator McCarthy. I have refrained from raising points of order because of the fear that by raising them I might take more time unnecessarily. We have a young man who picked up Schine and brought him to the office and dropped him there. Counsel knows that. Whether he is stalling to take up time or what. I don't know that I do think

er he is stalling to take up time or what, I don't know, but I do think the Chair should ask counsel for Mr. Stevens and Mr. Jenkins not to ask questions merely for the purpose of clearing their voices, but only ask them if they are looking for information.

Senator Munder. The Chair rules that is not a point of order. The Chair also holds that the questions are a bit repetitious, but he does not think he has any authority to tell counsel they cannot ask questions because I do not know what might be in the mind of counsel.

Mr. St. Clair. If the Chair please, I had just finished. If I was

repetitious, I am sorry.

Senator MUNDT. Did you say you had finished, Mr. St. Clair?

Mr. St. Clair. Yes, I have.

Senator Munder. I take it, Senator McCarthy, you have no questions. Does anybody have any further questions before we dismiss the witness?

The witness is dismissed.

Mr. Jenkins. Call Mrs. Mims, please.

Senator Munder. Will you stand and be sworn, please, Mrs. Mims? Do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. Mims. I do.

Senator Mundt. You may be seated.

TESTIMONY OF FRANCES PERRY MIMS

Mr. Jenkins. Mrs. Mims, will you please tell the committee your full name?

Mrs. Mims. Frances Perry Mims.

Mr. Jenkins. What official position do you occupy, Mrs. Mims?

Mrs. Mims. Personal secretary to Mr. Cohn and to Mr. Carr.

Mr. Jenkins How long have you been thus employed? Mrs. Mims. Since approximately August of 1953.

Mr. Jenkins. Are your offices at No. 101, this building?

Mrs. Mims. That is correct.

Mr. Jenkins. Were you in the office one day last week, Mrs. Mims, when Mr. Schine and Mr. Anastos came there, together with a package or a bundle?

Mrs. Mims. I am sure I was, sir; yes, sir.

Mr. Jenkins. Was anyone else present besides you and the two names I have called?

Mrs. Mims. I do not recall.

Mr. Jenkins. Do you recall about what time of day it was, or evening or night, when these two men came?

Mrs. Mims. Mr. Jenkins, I do not. I am sorry. I can't tell you. Mr. Jenkins. Do you recall, Mrs. Mims, whether it was in the morning, afternoon, or evening?

Mrs. Mims. I honestly cannot. I don't know.

Mr. Jenkins. You are a rather busy young lady down there?

Mrs. Mims. I am afraid I am.

Mr. Jenkins. Mrs. Mims, without my asking you specific questions and for the purpose of exploring the subject under inquiry at this time, I will ask you to just tell this committee the events that transpired when this package or bundle was delivered to that office?

Mrs. Mims. Sir, I have very little that I can contribute. I remember that Mr. Schine and Mr. Anastos came in. I did not at that time know there was a picture involved. I do know there was a package, but I never do stay in the inner office when members of the staff are there working. They did not ask me to stay, and so I went immediately from the office as soon as I delivered a message to Mr. Schine, upon his arrival there. I know nothing of the picture, and didn't know until later that it was the picture.

Mr. Jenkins. Do you work in what we would generally term the

reception room?

Mrs. Mims. Yes, sir.

Mr. Jenkins. Open to the public?

Mrs. Mims. Yes, sir.

Mr. Jenkins. And did Mr. Schine and Mr. Anastos go into a private office?

Mrs. Mims. It is my recollection that they did go inside.

Mr. Jenkins. Whose office was that, Mrs. Mims? Mrs. Mims. The office of Mr. Carr and Mr. Cohn.

Mr. Jenkins. Their offices are together in the same room?

Mrs. Mims. Yes, sir, it is room 103.

Mr. Jenkins. Was either Mr. Cohn or Mr. Carr present, if you know?

Mrs. Mims. I do not recall, sir.

Mr. Jenkins. Do you recall how long Mr. Anastos and Mr. Schine were in that office?

Mrs. Mims. No, sir, I don't; I am sorry.

Mr. Jenkins. Did you at that time see the contents of that package?

Mrs. Mims. No, sir.

Mr. Jenkins. Did you ever see it, Mrs. Mims?

Mrs. Mims. No, sir.

Mr. Jenkins. Did either of these gentlemen tell you what the contents of the package were?

Mrs. Mims. No, sir.

Mr. Jenkins. Did anyone ever tell you what the contents of the package were?

Mrs. Mims. No, sir.

Mr. Jenkins. Did you at that time or subsequent thereto see a photograph of the Secretary of the Army, Mr. Schine, and a Colonel Bradley?

Mrs. Mims. I have never seen such a picture to this moment.

Mr. Jenkins. Have you ever seen a picture introduced here by counsel for the committee, some time back, and I don't recall the date, in which Mr. Stevens and Mr. Schine only are shown?

Mrs. Mims. I have seen some newspaper prints but I haven't seen

the picture that you are speaking of, the original.

Mr. Jenkins. Mrs. Mims, if any person cut or altered in anywise a picture delivered by Mr. Schine to the office of the staff, being a photograph of himself, the Secretary, and Colonel Bradley, do you know anything about it whatever?

Mrs. Mims. Not anything at all, sir.

Mr. Jenkins. Has anyone ever told you anything about it whatever?

Mrs. Mims. No, sir.

Mr. Jenkins. And I take it that you know nothing about a dinner party given at the Colony Restaurant this Monday evening here in Washington?

Mrs. Mims. No. sir.

Mr. Jenkins. You were not one of the honored guests?

Mrs. Mims. I was not, sir. I was in my office at work.

Mr. Jenkins I have no further questions Mr. Chairman

Mr. Jenkins. I have no further questions, Mr. Chairman.

Senator Mundt. The Chair has none.

Senator McClellan?

Senator McClellan. Mrs. Mims, as I understand it, the package purporting to contain the picture was brought to room 101, and carried into Mr. Carr's and Mr. Cohn's private office; is that correct?

Mrs. Mims. I do not even know that that is correct. I did not know that the package contained the picture, and I knew nothing of it at all. Senator McClellan. You do recall the occasion, then, when Mr. Schine and Mr. Anastos did go into the office with a package?

Mrs. Mims. Yes, I do, and I followed them to take a message to

Mr. Schine.
Senator McClellan. And then you left?

Mrs. Mims. I did.

Senator McClellan. And you do not know what became of that package thereafter, nor what that package contained?

Mrs. Mims. No, sir.

Senator McClellan. You were given no instructions about it?

Mrs. Mims. Never.

Senator McClellan. And you gave no instructions about it? Mrs. Mims. No. sir.

Senator McClellan. That is all, Mr. Chairman.

Senator Mundt. Senator Dirksen. Senator Dirksen. I have no questions. Senator Mundt. Senator Jackson.

Senator Jackson. Mrs. Mims, from the time that this package was brought in by Private Schine, accompanied by Mr. Anastos last week, and up until Tuesday of this week, you never heard any discussion about this picture matter in the office?

Mrs. Mims. No, sir.

Senator Jackson. No discussion by anyone; you never overheard any discussion in the office?

Mrs. Mims. No, sir.

Senator Jackson. That is all. Senator Mundt. Senator Potter. Senator Potter. I have no questions. Senator Mundt. Senator Symington.

Senator Symington. Mrs. Mims, maybe I misunderstood, but I thought that Mr. Anastos said that you opened up the package; is that wrong?

Mrs. Mims. Mr. Anastos is in error if he said that.

Senator Symington. You saw the package go in the room but you

didn't see it come out; is that right?

Mrs. Mims. I saw Mr. Schine go in the room with the package, under his arm, and I saw the package lying later on the desk, and I didn't see what was in it and I didn't know what was in it, and I don't know what became of it.

Senator Symington. You never saw it after that, inside the room?

Mrs. Mims. No, sir.

Senator Symington. And Mr. Anastos is in error when he says you opened it?

Mrs. Mims. He is in error, sir. Senator Symington. All right. Senator Mundt. Senator Dworshak. Senator Dworshak. I have no questions.

Senator Mundt. Mr. Welch.

Mr. Welch. I have no questions. Senator Mundt. I take it that includes Mr. St. Clair?

Mr. Welch. It does.

Senator Mundt. Senator McCarthy?

Senator McCarthy. I have no questions, Mr. Chairman.

Mr. Jenkins. I have no questions.

Senator Mundt. The Chair doesn't feel he should keep going around unless someone indicates there is a question. If no one has a question, Mrs. Mims is dismissed.

Mr. Jenkins. And I think it proper.

I desire to ask Mr. Schine one other question at this time. Is he

Senator Mundt. Mr. Schine will return to the witness stand.

Is Private Schine in the room?

Mr. Jenkins. If he is not here, then I would like to ask Mr. Anastos one other question.

Senator MUNDT. Mr. Anastos will return.

TESTIMONY OF C. GEORGE ANASTOS-Resumed

Mr. Jenkins. Mr. Anastos, it would appear that you and Private Schine went into the office of Mr. Cohn and Mr. Carr with this pack-

Mr. Anastos. Yes, sir.

Mr. Jenkins. And that Mrs. Mims was in the outer room. Mr. Anastos. Yes, sir, she was in the outer room, and I don't recall exactly where she was.

Mr. Jenkins. Did you and Mr. Schine leave the room together?

Mr. Anastos. No, sir.

Mr. Jenkins. Who left first, and I am talking about the private

office of Mr. Cohn and Mr. Carr.

Mr. Anastos. I can't recall whether I left him in that room, or whether he left first, and then I was in with Mrs. Mims; I can't recall exactly.

Mr. Jenkins. Do you recall about how long you were in there?

Mr. Anastos. Yes, about a few minutes.

Mr. Jenkins. Well, did anyone come in while you were there, Mr. Anastos?

Mr. Anastos. No, other than Mrs. Mims.

Mr. Jenkins. Frankly, I am trying to find out now who next came into the possession of the picture.

Mr. Anastos. Yes, sir.

Mr. Jenkins. And you and Mr. Schine are in Mr. Cohn's room with that picture?

Mr. Anastos. Yes, sir.

Mr. Jenkins. Do you not know whether you left first, or whether Mr. Schine left first?

Mr. Anastos. Frankly, I can't remember, and I do know that I left after a few minutes. And as I recall I went to my own office.

Mr. Jenkins. You did not take the picture or package with you?

Mr. Anastos. Absolutely not, sir.

Mr. Jenkins. Then, if you left first, we then have the picture with Mr. Schine alone in Mr. Cohn's office, that is obvious.

Mr. Anastos. If he was.

Mr. Jenkins. If he left first, then you are in Mr. Cohn's office alone with the picture?

Mr. Anastos. One or the other.

Mr. Jenkins. Now, can you not enlighten us on which one left first or whether or not you both left together?

Mr. Anastos. Well, sir, to the best of my recollection, I think that

I left first.

Mr. Jenkins. That you left first?

Mr. Anastos. But I don't remember exactly. He may have been there, but I know I went down to room 160.

Mr. Jenkins. Very well, you left the picture in that office? Mr. Anastos. Yes, sir.

Mr. Jenkins. And you think you left first?

Mr. Anastos. I think so. That is the best of my-

Mr. Jenkins. Does anyone else have any questions? That is all that I have.

Senator Mundt. Does anybody having priority over Senator Symington have any questions?

Senator Potter. Mr. Chairman, just one question.

Senator Mundt. Senator Potter?

Senator Potter. Would it have been possible for either you or Mr. Schine to have left the package on a desk without its being in the possession of anyone?

Mr. Anastos. That is correct, sir. In fact, I think that is what

took place.

Senator Potter. On whose desk—

Mr. Anastos. Of course, he may have taken it, but I don't know.

Senator Potter. On whose desk?

Mr. Anastos. It was on the other side of Frank Carr's desk. Senator Potter. On the other side of Mr. Carr's desk?

Mr. Anastos. Yes, sir.

Senator Potter. When you left, you left without the picture? Mr. Anastos. That is correct.

Senator Potter. Mr. Schine left without it?

Mr. Anastos. I guess so.

Senator Potter. There was no one else in the room at that time other than Mrs. Mims, and she had left prior to the time that you and Mr. Schine left; is that correct?

Mr. Anastos. Of course, she went back and forth into that outer room, and I don't know whether she was positively in the room when I left or whether she was in the outer room—I don't remember.

Senator Potter. The reason for my question is to try to determine the best I can what happened to that picture after, as I understand the testimony, you left the room without the picture.

Mr. Anastos. That is correct, sir.

Senator Potter. That Mr. Schine did likewise. I believe that was your testimony. There was no one else in the room other than Mrs. Mims, who had been in and out, and she stated that she hadn't taken the picture.

Mr. Anastos. Sir-

Senator Potter. You testify no one else came into the room.

Mr. Anastos. No, not while I was there.

Senator Potter. Therefore, you must have left the picture there. Is that a correct assumption?

Mr. Anastos. That is correct. I did; yes, sir.

Senator McCarthy. Mr. Chairman.

Senator Mundt. I am sorry, the Chair's attention was diverted.

there a point of order?

Senator McCarthy. I wasn't raising a point of order, but just to save some time, Mr. Chairman, I think that we can easily agree and certify, stipulate, or call it what you may, that the picture as it left Dave Schine's wall got into the hands of Mr. Juliana. In the meantime, neither Mr. Anastos nor anyone else cut it or did anything to it. In other words, the identical picture that came from the wall came to Juliana and in his hands.

Senator Mundt. Will Mr. Juliana testify to the fact of when he

received the picture?

Senator McCarthy. He is the only man who knows what happened

to this picture. I think this information has gone to counsel.

Mr. Jenkins, Mr. Chairman, I don't blame counsel for this, but I think you are wasting a fantastic amount of time until you get down to one young man who knows what happened to that picture.

Senator Mundt. The Chair appreciates the information the Senator has supplied. However, in conformity with our rule, if there are other questions—Senator Symington has indicated he has some. If neither Senator McClellan nor Senator Dirksen has any—Senator McClellan?

Senator McClellan. In the light of the statement just made, I

want to ask the witness this question:

Is it not a fact that you, yourself, personally delivered the picture to Mr. Juliana? I ask you to refresh your memory now, after all this testifying, and is it not true that you delivered that picture to him?

Mr. Anastos. You mean up here, sir?

Senator McClellan. Yes, sir; within 30 minutes after it was

brought to that office down there; isn't that true?

Mr. Anastos. Sir, I definitely remember that I left that picture and the papers on the desk of Frank Carr, and I went down to my room, 160. At a subsequent time I was instructed, I was asked to bring up to this room that picture and other papers, and I brought them up here, sir, and Mr. Juliana, as I remember it, met me halfway up this aisle here, and I gave them to him.

Senator McClellan. That is all, Mr. Chairman.

Senator Mundt. Have either of the other Senators questions?

Senator Symington?

Senator Symington. Mr. Anastos, Mr. Schine testified at page 1119 yesterday:

And when I came back from New York, sir, Mr. Anastos met me at the airplane.

Mr. JENKINS. You have testified to all of that now, Mr. Schine?

Private Schine. Yes, sir. And, therefore, I do remember giving him the photograph because he came with me to the office. And, as a matter of fact, one of the staff came in and said, "Let me see the picture of you and Secretary Stevens," and I said "We had better send this right up because Mr. Jenkins is anxious to have it, and so we had better not open it." And I remember Mr. Anastos taking the picture.

Do you have any comment on that?

Mr. Anastos. He is referring to the subsequent time, after I had been told to bring it up. Then it is correct that I did come in and I took the photograph and the papers and brought them up.

Senator Symington. Let me repeat this now. He said, Mr. Schine said: "When I came back from New York, Mr. Anastos met me at

the airplane.

Mr. Jenkins. You have testified to all that now, Mr. Schine?

Private SCHINE. Yes, sir. And, therefore, I do remember giving him the photograph because he came with me to the office.

Mr. Anastos. Yes. Do you mean—I never brought any photograph or papers to Mr. Jenkins. I brought a photograph and some papers to this room.

Senator Mundt. Senator Dworshak? Senator Dworshak. No questions. Senator Mundt. Senator Jackson? Senator Jackson. No questions. Senator Mundt. Mr. Welch?

Mr. Welch. This should be very short. I am puzzled, Mr. Anastos, at your answers to Senator Symington. Private Schine's testimony was that he gave the photograph to someone and he remembered one

of the staff came in and said, "Let me see the picture of you and Secretary Stevens." Did you say that to him?

Mr. Anastos. No, sir.

Mr. Welch. What member of the staff could have said it?

Mr. Anastos. I do not know.

Mr. Welch. There was no other member there but you.

Mr. Anastos. I don't—no. As I say—

Mr. Welch. Wait a moment. There was no other member of the staff?

Mr. Anastos. When, sir?

Mr. Welch. When Schine brought the picture in.

Mr. Anastos. If he is referring to that particular time, then I did not ask him that question.

Mr. Welch. All right. Then he testified, "And I said"—meaning

Mr. Schine—"we had better send this right up"-

Senator McCarthy. Mr. Chairman?

Senator Mundt. Has the Senator a point of order?

Senator McCarthy. Yes, I have a point of order, Mr. Chairman. Yesterday, as the Chair will recall, I consented to have Mr. Stevens taken off the stand so we could establish the facts in regard to this picture. I did that on the assumption that we were going to establish the facts. I think counsel has done a very competent and efficient job to cut this down, but, Mr. Chairman, if counsel for Mr. Stevens and Mr. Hensel and Mr. Adams are going to continue this stalling practice to keep Mr. Stevens from going back on the stand—whether I shall be successful or not I don't know, but I am going to ask the Chair-

Senator MUNDT. The Chair will have to overrule the point of order. Senator McCarthy. Let me finish, Mr. Chairman. I am going to ask the Chair—I am not doing it now, but I am going to ask the Chair—if this stalling continues, to bring Mr. Stevens back to the stand. I only consented that he be removed on the theory that we would not go through this filibustering procedure by counsel for Mr. Stevens and Mr. Adams. I am not making the request now. Mr. Welch. Mr. Chairman—

Senator Munder. The Chair will have to confess to the fact that he has not yet been able to find out the truth about the photograph, and that was the purpose of the interruption. We are trying to find it out. It is taking a long time, but I hope we can finally determine. Senator McCarthy. Mr. Chairman?

Senator Mundt. Senator McCarthy.

Senator McCarthy. Mr. Chairman, all the facts about the photograph have been given to Mr. Jenkins. I think he is trying to get down to the important witnesses. I agree that it is necessary to put these preliminary witnesses on. Mr. Welch and Mr. St. Clair, in my opinion, now are not looking for facts. They are trying to stall so Mr. Stevens will not return to the stand this week. I am not making any point now, Mr. Chairman, I am merely serving notice-

Senator Mundt. Very well. No point of order has been made. Senator McCarthy. I am merely serving notice that if this con-

tinues, I am going to raise an objection to it.

Senator Mundr. Mr. Welch?

Mr. Welch. Mr. Chairman, I also wish to serve a notice. I have made or thought up an invention that will greatly shorten this hearing. It is my observation of lawsuits that when the principal witnesses testify, the subprincipals go on and off very fast. I wish to give notice now that at the conclusion of Mr. Stevens' testimony I shall waive the right to proceed with Army witnesses and ask Mr. Jenkins to call Senator McCarthy to the stand. That I wish to do as soon as Mr. Stevens concludes his testimony, which I suppose would be within an hour or so of the time he retakes the stand.

Senator Mundt. The Chair will have to remind Mr. Welch, as he reminded Senator McCarthy yesterday, that the conduct of the hearings is in the hands of the committee and its counsel. We will have

to determine the order in which the witnesses are called.

Mr. Welch. I realize I can only beg Mr. Jenkins to do what I suggest. I do beg him to do it.

Senator Mundt. You may proceed.

Mr. Welch. Now, to conclude this, Mr. Anastos, Mr. Schine said in his testimony at page 1119:

We had better send this right up because Mr. Jenkins is anxious to have it, and so we had better not open it.

If that got said in that room, were you present when it was said? Mr. Anastes. I don't recall him saying that; he may have said that. Mr. Welch. If those words were spoken, were they spoken in your

presence?

Mr. Anastos. They may have been.

Mr. Welch. And then his last sentence was, "And I remember Mr. Anastos taking the picture." Do you remember that you took the picture?

Mr. Anastos. Oh, no, I never handled it.

Mr. Welch. That is all.

Mr. Anastos. Except, let me add this, as I said before, I took the picture subsequently, and brought it up here, and gave it to Mr. Juliana.

Senator Mundt. Have you concluded, Mr. Welch?

Mr. Welch. Yes.

Senator Mundt. Senator McCarthy, do you have any questions?

Senator McCarthy. I am sorry sir?

Senator MUNDT. Any further questions? Senator McCarthy. No further questions.

Senator Mundt. Mr. Jenkins?

Mr. Jenkins. Mr. Anastos, I want to clear up one matter here, if possible. And tell me if I am correct, the committee is trying to ascertain the facts, and you understand that?

Mr. Anastos. Yes sir.

Mr. Jenkins. It develops that you met Private Schine at the airplane-

Mr. Anastos. Yes sir.

Mr. Jenkins. At the airport-

Mr. Anastos. Yes sir.

Mr. Jenkins. That you and he together, with no one else present, then went to room 101 with a package which you understood contained a photograph-

Mr. Anastos. Sir, my aunt was with me.

Mr. Jenkins. Who was with you? Mr. Anastos. My aunt.

Senator Mundr. That is Boston for what we call "ant" in South Dakota.

Mr. Jenkins. We call it "ant" in Tennessee.

Mr. Anastos. And, in fact, she was driving her car.

Mr. Jenkins. I am not interested in that. Did she go to room 101? Mr. Anastos. Oh, no, she left us off at the Senate Office Building, and Private Schine and I went together to room 101.

Mr. Jenkins. With this photograph, as you understood it?

Mr. Anastos. Yes sir.

Mr. Jenkins, And into a private room? Mr. Anastos. Yes, sir, in Frank Carr's room.

Mr. Jenkins. Now, we are trying to find out, and it is obvious, and I am sure you understand it, Mr. Anastos, who next came into the possession of that photograph?

Mr. Anastos. Sir, if I knew, I would tell you; I don't know.

Mr. Jenkins. What time of day or night was it when you and Mr. Schine went to room 101?

Mr. Anastos. We came immediately from the airport. Mr. Jenkins. But I don't know what time it was.

Mr. Anastos. We came about 3 o'clock. Mr. Jenkins. Three in the afternoon? Mr. Anastos. In the middle afternoon.

Mr. Jenkins. During working hours?
Mr. Anastos. Yes sir.
Mr. Jenkins. Which incidentally extends to midnight here in Washington, as I have found.

Senator McCarthy. Mr. Chairman? Senator Munder. A point of order?

Senator McCarthy. I have a suggestion that we have the witness here who handled the photograph, and who handled the removal of the colonel from the photograph and had it blown up. And I would suggest that you put him on the stand, if we want the facts.

And we all know that all this young man did was to pick up Schine at the airport and bring him back. And we have a man here who

May I finish?

Senator Mundt. I will overrule the point of order, as I just overruled the point of order of Mr. Welch.

The committee counsel will decide the order of witnesses.

Senator McCarthy. Mr. Chairman, I am trying to cut this down. And I will tell you we have a witness who will testify that he had the picture, with the three people on it, and the one substantially the same as Mr. Welch presented, and that he took that picture. And he will explain how, when, where, and why the third man was cut off. I would suggest that if he were put on the stand we may save an awful lot of time.

Senator Mundt. We will call him very shortly.

Senator Jackson. A point of order. And I may suggest if we had known that yesterday we could move much faster.

Senator McCarthy. This information was all given to Mr. Mundt's

staff the minute the question of the picture was taken up.

Senator Symington. I want to raise a point of order, if I may.

Senator Mundt. You may.

Senator Symington. I have been questioning the witnesses with ignorance, with respect to any information being given to anybody—

and it might well expedite the hearings.

I agree, Senator McCarthy, if there is some way that all members of the committee will know what information has been given, if there is going to be criticism of us examining the witnesses, as I understand it, our purpose is on this committee to examine the witnesses and try to get the truth.

Senator Mundt. You may proceed, Mr. Jenkins.

Mr. Jenkins. Mr. Anastos, can you give us an answer, yes or no, as to whether or not you left room 101, that is Mr. Cohn and Mr. Carr's office, first, or did Mr. Schine leave there first?

Mr. Anastos. Sir, I honestly cannot remember which one of us left

first

Mr. Jenkins. Now, Mr. Anastos, here is testimony given by Private Schine, and I am not indicating that it disturbs me. I want what

explanation you can give of it.

Before asking you that question, as I understand it you have told us that subsequent thereto, you brought a photograph from the staff office to Mr. Juliana here in this room, and obviously to deliver to me.

Mr. Anastos. I presume it was to deliver to you.

Mr. Jenkins. When was that?

Mr. Anastos. Well, sir, I was trying—

Mr. Jenkins. To make it easier for you, when was it with reference to the time that you and Mr. Schine went to room 101, at 3 p. m., with that original package?

Mr. Anastos. It was after that.

Mr. Jenkins. I know it was subsequent thereto, but a day or 2 days,

or 3 days?

Mr. Anastos. Sir, at first, I thought I couldn't remember when your staff was interviewing me, and I thought it was a day or two later, and I couldn't quite remember, but from what was said it appears that it must have been the same day.

Mr. Jenkins. You think it was the same day?

Mr. Anastos. Apparently.

Mr. Jenkins. During the hearing, that is, it would have been subsequent to 3 o'clock in the afternoon?

Mr. Anastos. Yes, sir.

Mr. Jenkins. And you think it was that same afternoon that you brought this picture up here and delivered it to Mr. Juliana?

Mr. Anastos. First I thought it was a day or two later, and I can't remember, and I didn't pay any attention.

Mr. Jenkins. What do you think now?

Mr. Anastos. From what has been said, apparently it was the same day.

Mr. Jenkins. The same day? Mr. Anastos. Apparently.

Mr. Jenkins. So that if the original photograph that you and Mr. Schine took to room 101 at 3 o'clock in the afternoon was the photograph of 3 persons, and if that photograph was brought to this room that same day by you and delivered to Mr. Juliana, it was either a photograph of 3 persons or that same day some time between 3 o'clock and the time this committee adljourned its hearings, the photograph

of 1 individual had been cut from it, if such a fact did occur. Now, is that correct?

Mr. Anastos. Yes, sir.

Mr. Jenkins. And in the meantime, the picture had been blown up, or enlarged; is that correct?

Mr. Anastos. Yes, sir.

Mr. Jenkins. All in the course of the time intervening between 3 o'clock in the afternoon and the time of adjournment of this committee?

Mr. Anastos. Yes, sir, if it was the same day. And I still can't remember the exact time. Apparently it was the same day; I can't

remember exactly.

Mr. Jenkins. Is that your best impression, Mr. Anastos?

Mr. Anastos. Yes; after talking or during the interview of various

members of the staff, by your staff, that is my conclusion.

Mr. Jenkins. Do you know how long it takes to cut from a photograph the picture of an individual and have it blown up? And I am asking for information, and I don't know anything about blowing up a picture.

Mr. Anastos. I don't either, sir, and I have never had, and I don't

recall having had anything blown up.

Mr. Jenkins. Let me ask you this question, Mr. Anastos. I am reading from Private Schine's testimony, page 1119.

Private Schine. Yes, sir. And, therefore, I do remember giving him the photograph because he came with me to the office.

He was referring to you, was he not?

Mr. Anastos. Yes, sir.

Mr. Jenkins. As a matter of fact, one of the staff came in and said, "Let me see the picture of you and Secretary Stevens." That, for your information, is the testimony of Mr. Schine. Do you recall a member of the staff coming in and saying, in effect, "Let me see the picture of you and Mr. Stevens"?

Mr. Anastos. That may-

Mr. Jenkins. The question is, Do you recall it?

Mr. Anastos. Not specifically. It may have been.
Mr. Jenkins. Not specifically, but do you have some recollection of it?

Mr. Anastos. It may have been Mrs. Mims, I do not remember.

Mr. Jenkins. I did not get your answer. Mr. Anastos. I do not remember, sir.

Mr. Jenkins. You don't remember one way or the other?

Mr. Anastos. No.

Mr. Jenkins. Reading further from Mr. -

Mr. Anastos. It may have been Mrs. Mims; I don't know.

Mr. Jenkins. Schine's testimony:

and I said-

that is, David Schine said—

we had better send this right up because Mr. Jenkins is anxious to have it, and so we had better not open it. And I remember Mr. Anastos taking the picture.

Mr. Anastos. I never took it as such. I never took it. Immediately after he had put it on the desk there, I did not take it then. Subsequently, when I was told to bring it up here, then I took it.

Mr. Jenkins. Well, subsequent. Do you mean minutes, hours, or a day or so?

Mr. Anastos. I don't know. At first I thought it was a couple of

days later or a day later.

Mr. Jenkins. What do you think now?

Mr. Anastos. From what—from your staff's interview, apparently it was the same day. It must have been a few hours later, an hour later. I do not remember.

Mr. Jenkins. Mr. Anastos, if Mr. Schine is correct—I am not sure this is a proper question; if it is not, the Senator will stop me, I am sure. [Laughter.]

Senator McCarthy. I want to say I will not take the time to try

Mr. Jenkins. If Schine is correct, then that picture was sent almost immediately to me by you as the emissary after it had been taken into the private office of Mr. Cohn and Mr. Carr.

Senator McCarthy. Mr. Chairman?

Mr. Anastos. If-

Senator Mundt. Senator McCarthy.

Senator McCarthy. A point of order here. Some of the Senators have been asking me in effect why we have not given all the information about this picture to counsel. I would like, as a courtesy, to have counsel put in the record at this time the fact that the minute the picture in question came up, the one Mr. Welch submitted, the one that come off Mr. Schine's wall, and the one in evidence, the minute that came up we have given your staff all the information and they have had it ever since.

The reason I ask for that is because I gather from the questions asked me by Senators, they feel that this information has not been freely given. I think in fairness to me and my staff that should be

made clear.

Mr. Jenkins. I desire to make it clear that no member of Senator McCarthy's committee has done anything except to cooperate fully and that they have assured me that they will furnish the witnesses to develop all the facts with respect to this photograph—the staff. mean Senator McCarthy's staff.

Frankly, Mr. Chairman, I do not think that I should proceed further trying to develop the fact with respect to this until Mr. Schine is asked

one or two additional questions. I can put on Mr. Juliana.

Senator Mund. I think perhaps Mr. Schine has returned to the room. Has he?

Mr. Jenkins. I would like to have Mr. Schine for 1 or 2 questions

before Mr. Juliana is put on.

Senator McCarthy. If he has not returned, Mr. Chairman, I am sure that I will be able to contact him. I told him I wanted to see

him this noon. Where he is now, I frankly don't know.

Mr. Jenkins. That is all I care to ask Mr. Anastos, and if no one else

cares to, I want to call Mr. Juliana.

Senator McCarthy. I am informed Mr. Schine is on the way from Fort Myer now.

Senator Munder. Is there any objection to calling Mr. Juliana and

dismissing this witness?

Senator McClellan. Mr. Chairman, I want to remind you that the rules of procedure should be followed.

Senator Mundt. Mr. Anastos, you may step down. Mr. Juliana will come to the stand.

Do you solemnly swear to tell the truth, the whole truth, and nothing

but the truth, so help you God?

Mr. Juliana. I do.

Senator Mundt. You may be seated.

Mr. Jenkins will proceed.

TESTIMONY OF JAMES N. JULIANA

Mr. Jenkins. Please state your full name.

Mr. Juliana. James N. Juliana.

Mr. Jenkins. What official position do you occupy, Mr. Juliana? Mr. Juliana. I am an investigator with the Senate Permanent Subcommittee on Investigations of Government Operations.

Mr. Jenkins. Mr. Juliana, you know at what point this inquiry is

directed, do you not?

Mr. Juliana. Yes, sir.

Mr. Jenkins. In order to save time and to expedite this matter, if such a thing is possible, I want you, Mr. Juliana, now to tell this committee in a chronological way all you know about the photograph that was delivered to room 101 by Private Schine and Mr. Anastos, being a photograph, I think it is conceded, of Secretary Stevens, Mr. Schine, and Colonel Bradley. Please do it chronologically.

Mr. Juliana. Mr. Jenkins, the first time I ever heard of a photo-

Mr. Jenkins. And for the purposes of identification, I hand you

the photograph to which reference has been made.

Mr. JULIANA. The first time I ever heard reference to a photograph of Secretary Stevens and Private Schine was one evening last week in the office of Mr. Carr when you were discussing with Mr. Cohn the McCarthy-Cohn-Carr side of this controversy. I was in and out of the room at the time, and the question of a photograph came up. I recall that you asked Mr. Cohn if the photograph was available or could be made available, and I believe he answered that it could.

Sometime during that meeting, I was given to believe that the photograph would be brought down from New York by someone—I don't

Mr. Jenkins. An interruption will not disturb you, will it, Mr. Juliana?

Mr. Juliana. No, sir.

Mr. Jenkins. Without telling what was said, I will ask you whether or not at the time of my conference with Mr. Cohn in the preparation of the staff's side of this controversy, I was told—and please do not tell me what I was told—I was told who requested the taking of that photograph?

Mr. Juliana. I believe you were, yes, sir.

Mr. Jenkins. Was it then that I asked whether or not the photograph was in existence and could be produced?

Mr. Juliana. Yes, sir. Mr. Jenkins. Now you may proceed.

Mr. JULIANA. I believe at that time Mr. Cohn said to me that the picture would be brought to Washington and that when it arrived, I should take care of it.

The next time I heard about the picture was the afternoon of the first day's hearings, which I believe was last Thursday, when a package was delivered to me in this Caucus Room by Mr. Anastos. I did not know what was in the package except that there was a picture. The package, from feeling it you could tell that it was a frame, and a rather large frame, and it was heavily wrapped in brown paper. did not open that package until the end of the hearings, when I went down to 101, physically carried the picture to 101, and there I opened it. For the first time I saw this picture [indicating].

Mr. Jenkins. Being a picture of the Secretary of the Army, Mr.

Schine, and Colonel Bradley?

Mr. Juliana. I don't know who the colonel is, but there is a colonel in there who has been named as Colonel Bradley.

Mr. Jenkins. Very well.

Mr. Juliana. I unwrapped the picture, and I immediately called for Mr. Don Surine, an assistant counsel on the subcommittee. Don Surine and I discussed the enlarging of the picture. I must go back just a second.

When the picture arrived in the Caucus Room, I whispered to Mr. Cohn that the picture was here, and he said, "All right, have enlarge-

Now I will go back to the discussion with Mr. Surine. We decided that to handle it most expeditiously and as cheaply as possible, we would have photstats made rather than photographs. It was my understanding that a picture of Schine and Secretary Stevens was to be delivered to you on Friday morning. I asked Don Surine if he would handle the photostating of the picture.

I said to Don Surine that he should have photostats made of the full picture and photostats made of Secretary Stevens and Mr. Schine. I said that because my instructions from you and/or Mr. Cohn were to that effect, that you wanted a picture of Secretary Stevens and

Private Schine.

Don Surine-

Mr. Jenkins. May I interrupt you now?

Mr. Juliana. Yes, sir.

Mr. Jenkins. Did I say anything about cutting out of a picture any individual, Mr. Juliana?

Mr. Juliana. No, sir. Mr. Jenkins. Very well. You may go ahead. Mr. JULIANA. Mr. Cohn did not say that, either.

Mr. Jenkins. I understand.

Mr. Juliana. I gave the picture to Don Surine intact. It was still

mounted, still in the frame.

The following morning, I contacted Don Surine to find out what the status of the enlarged photostats of the picture was. And Don said that he would check it and would see that I got it right away.

Sometime after 10 o'clock in the morning—because I know I was rushing to get it to you before the hearing—I received several enlarged photostats of this picture, plus-

Mr. Jenkins. Being a picture of the three persons you are now

holding in your hand?

Mr. Juliana. I hadn't finished. I received, I believe, 2 enlarged photostats of this [indicating], and 2 photostats like this [indicating].

Mr. Jenkins. To identify what you mean by "this," Mr. Juliana— Mr. Juliana. Of the picture of Secretary Stevens and Mr. Schine.

Mr. Jenkins. We understand.

Mr. Jenkins. Could you identify what you mean by this?

Mr. Juliana. Upon receiving, I believe there were 2 photostats of each picture, and I large negative of this picture only.

Mr. Jenkins. When you say this picture only, Mr. Juliana, we

request you to identify it.

Mr. Juliana. The picture of Secretary Stevens, Mr. Schine, and a colonel.

Mr. Jenkins. Very well.

Mr. Juliana. Upon receiving those, I immediately proceeded to mount the picture of Secretary Stevens and Private Schine on a piece of white cardboard. The other pictures I put in a filing cabinet where they have been more or less under my custody until I gave them to Mr. Collier yesterday morning. The reason that I furnished this picture of Secretary Stevens and Mr. Schine is because I was led to believe that that was what you wanted in the hearing. I did not know why you wanted this picture in the hearing.

I mounted it, and I put the caption at the top, McGuire Air Force Base, Fort Dix, November 17, 1953, and I physically wrapped it in a newspaper, and brought it to your office approximately 10:28 of

Friday morning.

You told me at that time that you did not think that we would get to the cross-examination of Secretary Stevens and therefore you would not need the picture. You told me to keep it in my custody, that you would hold me responsible for the picture. I therefore returned to room 101 and I placed the picture in a large filing cabinet with a combination lock on it. It was not locked, and I don't know the combination.

I did not touch the picture again until the morning that you requested this to be brought to the hearing room, which I believe was

Monday morning, if I am not mistaken.

At that time I took the picture out of the filing cabinet, and I gave it to Mrs. Mims, and I instructed her to bring it to your office immediately, and it was still wrapped and I don't know if she saw what was in it or not, what was in the wrapping.

You received the photograph, enlarged photograph of Secretary

Stevens, and Mr. Schine.

Mr. Jenkins. Mr. Juliana, I think that you have made it very clear and we may be getting somewhere now with respect to this photograph.

Mr. Juliana. I hope so. Mr. Jenkins. I join you in that wish.

Mr. Juliana, this question; at whose direction was Colonel Bradley cut from the picture?

Mr. Juliana. To my knowledge, Colonel Bradley was never cut

from the picture.

Mr. Jenkins. All right, have it any way. Now, you know what we mean, do you not, Mr. Juliana?

Mr. Juliana. I know what you mean, he was left off the picture. Mr. Jenkins. At whose direction? At whose direction was Colonel Bradley left off the picture that was introduced here by me, earlier this week?

Mr. Juliana. As I previously testified, it was my understanding after talking with you and Mr. Cohn about this picture, that you wanted a picture of Secretary Stevens and Private Schine. I gave those instructions to Mr. Surine. I don't know what he did.

Mr. Jenkins. Then you gave the directions to Mr. Don Surine-

what your expression—to leave off—

Mr. Juliana. No, sir; no sir. My instructions were to have the photostats blown up, photostats of the picture of the 3 individuals made, and also to have photostats of the 2 individuals made, namely Secretary Stevens and Private Schine.

Mr. Jenkins. Well, Mr. Juliana, did that not mean to your mind, and did you not intend to convey then to Mr. Surine your intention or your wish or your desire that Colonel Bradley be left off of the

picture?

Mr. Juliana. Yes, sir. I never knew Colonel Bradley was on this

picture until I opened it down in room 101.

Mr. Jenkins. And you were present when I was told that there was in existence a picture of the Secretary of the Army, and David Schine, you say?

Mr. Juliana. Yes, sir.

Mr. Jenkins. And you were present when I was told at whose instance the picture was made, and please don't tell me what was said.

Mr. Juliana. Yes, sir.

Mr. Jenkins. But you were present?

Mr. Juliana. Yes, sir.

Mr. Jenkins. And I then asked for that picture.

Mr. Juliana. Yes, sir.

Mr. Jenkins. I have no further questions, Mr. Chairman.

Senator Munder. Does the Chair understand that there are available enlarged photostats, not only of the one that you have before you of Secretary Stevens and Mr. Schine, Private Schine, but also photostats which were made at the same time showing everybody on the picture?

Mr. Juliana. Yes, sir.

Senator Mundr. Could we have those, Mr. Counsel?

Mr. Jenkins. They are here available.

Senator Mundt. That is the same one, and there appear to be 3, 1 rather faint and 2 about as well developed as the other of the 3

people.

Whose specific decision was it, Mr. Juliana, to bring to the committee room in the newspaper wrapping the specific picture which was first introduced in evidence, to wit, the enlarged photostat of the Secretary and Private Schine?

Mr. Juliana. That was my decision.

Senator Mundt. Your decision?

Mr. Juliana. Yes, sir.

Senator Mund. Do I understand you made that decision under the apprehension that that was the picture that was desired?

Mr. Juliana. Yes, sir.

Senator MUNDT. What had you done with the other three photostats?

Mr. JULIANA: The other photostats were placed in a filing cabinet in

Mr. Carr's office.

Senator Munder. I think that is all.

Senator McClellan?

Senator McClellan. Mr. Juliana, when you carried the 1 picture of Secretary Stevens and Mr. Schine to Mr. Jenkins' office, at the ime you thought he would want them that morning, did you also ake to him, at that time, the enlarged picture of the group of 3?

Mr. Juliana. I did not.

Senator McClellan. Did you tell him you had such a picture?

Mr. Juliana. I did not.

Senator McClellan. Did he ever know, until after it was develpped here in the hearings, that this was taken from a group picture, he picture that you delivered to him?

Mr. Juliana. From my knowledge, he did not know.

Senator McClellan. You did not tell him?

Mr. Juliana. No, sir.

Senator McClellan. You didn't consider that information imortant?

Mr. Juliana. No, sir.

Senator McClellan. Why did you have the enlarged pictures nade of the group of three, if you didn't consider it important?

Mr. Juliana. Because the photograph, of the 3 people, was the

photograph, as presented.

Senator McClellan. That is correct. But if it was not important o have the photograph of 3, if it is only important to have the photograph of the Secretary and Mr. Schine, if it is only important to have hat, why have an enlarged photograph of all 3, can you tell us?

Mr. Juliana. Well, Senator, from what I received back, and this can only be my explanation, and I don't know, but when I received

he rolls back, the negative was of the three individuals.

Senator McClellan. But I thought that you gave instructions to Mr. Schine to have pictures developed of the group, and also pictures developed or blown up, if that is the proper word, of just Mr. Schine and the Secretary—and if I used the word "Schine" a moment ago when I should have used "Surine," you will understand—and you gave the instructions to Mr. Surine instead of Mr. Schine.

Now will you tell us why?

Mr. Juliana. I did give those instructions. Senator McClellan. I understand you did. But if the picture of the three, the group picture was not important, why instruct him o have it blown up, do you know?

Mr. Juliana. I have no reason why I instructed him.

Senator McClellan. That is all. Senator Mundt. Senator Dirksen?

Senator Jackson?

Senator Jackson. Mr. Juliana, I understand the reason why these photostats were made, blowups, was in order to carry out what you understood to be the instructions of counsel?

Mr. Juliana. Yes, sir.

Senator Jackson. And what were those instructions?

Mr. Juliana. My instructions were that I was to enlarge and give o Mr. Jenkins a photograph of Mr. Stevens and Private Schine.

Senator Jackson. Did anyone else instruct you to do that?

Mr. Juliana. No, sir.

Senator Jackson. Did you discuss that feature of just the two together with anyone else?

Mr. Juliana. I don't believe I did, no, sir.

Senator Jackson. Can you say now, under oath, that you did not?

Mr. JULIANA. I don't think I did, no, sir.

Senator Jackson. You don't think you did, but you couldn't say for sure?

Mr. Juliana. No, I couldn't say for sure.

Senator Jackson. Did you talk with anyone on the staff about just

having a picture of two?

Mr. Juliana. I don't recall talking to anyone on the staff about the picture, except advising Mr. Cohn that the picture had arrived, in this caucus room, and then discussing with Mr. Surine the photostating of the picture.

Senator Jackson. Well, your understanding was that you were to merely carry out the instruction of the counsel of the committee,

Mr. Jenkins?

Mr. Juliana. Yes, sir.

Senator Jackson. And nothing else?

Mr. Juliana. Well, it was Mr. Jenkins and/or Mr. Cohn who gave me those instructions.

Senator Jackson. Or both?

Mr. Juliana. It could have been both at the same time in that meet-

Senator Jackson. They were both present?

Mr. Juliana. Yes, sir.

Senator Jackson. But you cannot explain to this committee now why you made photostats of, first, the original picture with the three together and also one with only two in the picture, Private Schine and Secretary Stevens?

Mr. Juliana. No, I cannot explain that.

Senator Jackson. But did you give those instructions? Mr. Juliana. I gave those instructions to Don Surine.

Senator Mundt. The photographer will kindly remain seated. We have had another complaint from the TV people. Thank you. Senator Jackson. I join with the TV people on that. I do not want

to get cut out of this.

As I understand it, you just cannot recall why a photostat was made of the original picture that was brought to the committee office by Private Schine and Mr. Anastos.

Mr. Juliana. No, I do not, no.

Senator Jackson. Did you give counsel Jenkins a copy of the group photostat?

Mr. Juliana. No, I did not.

Senator Jackson. You were present on Monday when counsel for the committee interrogated Mr. Stevens at length?

Mr. Juliana. I was here most of the time, yes, sir.

Senator Jackson. You were here when the picture was offered in evidence?

Mr. Juliana. I may have been. I would not swear that I was.

Senator Jackson. Are you a lawyer?

Mr. Juliana. No, sir.

Senator Jackson. You are not a graduate of a law school?

Mr. Juliana. No, sir.

Senator Jackson. Accountant?

Mr. Juliana. No. sir.

Senator Jackson. Were you in the FBI?

Mr. Juliana. Yes, sir.

Senator Jackson. Are you a college graduate?

Mr. Juliana. Yes, sir.

Senator Jackson. In what field, liberal arts or-

Mr. Juliana. Engineering.

Senator Jackson. You recall—and I want to refresh your memory f I may—that on page 433 of the hearings on Monday, starting at he bottom of the page, and I will read this testimony:

Mr. Jenkins. Mr. Stevens, did you ever have your photograph taken with

David Schine?

Secretary Stevens. Well, there were a lot of photographers around down there

t that hearing, and it could be.

Mr. Jenkins. But did you ever at your suggestion at a meeting anywhere, any ime, say that "I want my picture taken with David" and have it done? Secretary Stevens. I am sure that I never made a statement just like you

secretary Stevens. I am sure that I hever made a statement just like you hade it there. I mean, if there was a picture being taken and there were seeple around, I might be very apt to say, "Well, let us all step in here and have a picture," but I do not think that I ever made any demand to have my dicture taken with David Schine.

Mr. Jenkins. I did not say "demand," but was your picture after David schine was drafted ever taken with you alone at your suggestion, anywhere?

Secretary Stevens. After he was drafted?

Mr. JENKINS. Yes.

Let me show you a picture, Mr. Stevens, for the purpose of refreshing your ecollection. I ask you whether or not that is a photograph of you, the Secreary of the Army, and David Schine, a private in the Army.

Secretary Stevens. I unfortunately can recognize myself, but I could not

uarantee the soldier.
Mr. Jenkins, My gr

Mr. Jenkins. My question is, Is that a photograph of you, the Secretary of he Army, and G. David Schine, a private in the Army?

Secretary Stevens. That is me; that is certainly me, and I assume-The purpose of making this statement is for the purpose of asking ou, in the light of that testimony, you knew it was obviously quite naterial to the line of questioning of the Secretary of the Army,

whether or not he had a picture taken alone with G. David Schine. Mr. Juliana. The word "alone" meant nothing to me at the time

f the question.

Senator Jackson. Don't you know from what—you read the papers hat night?

Mr. Juliana. I have not read the papers in 2 weeks.

Senator Jackson. You haven't read the papers in 2 weeks?

Mr. Juliana. No, sir.

Senator Jackson. Any papers?

Mr. Juliana. I have looked through a paper, but I haven't read the proceedings of this committee since they started.

Senator Jackson. You haven't looked at any of the testimony of

he proceedings?

Mr. Juliana. Not that testimony, and very little of any other

estimony.

Senator Jackson. But you knew that at the time Mr. Jenkins was sking these questions, that the material thing about this photograph vas the fact that Mr. Jenkins was laboring under the impression that here had been a picture taken with the Secretary of the Army and im alone?

Mr. Juliana. I was not under the impression that Mr. Jenkins was

aboring on the word "alone."

Senator Jackson. You knew that he had in his possession this picture that had been changed?

Mr. JULIANA. I don't think the picture was changed.

Senator Jackson. You don't think the picture was changed?

Mr. Juliana. No, sir.

Senator Jackson. What is your definition of "change"?

Mr. JULIANA. If you will take Mr. Stevens and Mr. Schine in the large, blown-up portion, I think you will find they are the same as these two individuals here.

Senator Jackson. There is nothing else different in the picture? Mr. Juliana. Sure. This individual here has been left off [indicat-

ing].

Senator Jackson. That is not a change?

Mr. Juliana. I don't think there is any change in the two individuals, no.

Senator Jackson. I don't think there has been any testimony by anyone in this proceeding that there was a change made of the photographic appearance of the Secretary of the Army and Mr. Schine, has there been?

Mr. Juliana. I couldn't answer that, sir.

Senator Jackson. Do you know if there has been a change; the two pictures are there in front of you.

Mr. Juliana. I am no photographer, but I don't think there has

been a change.

Senator McCarthy. Mr. Chairman.

Senator Mundt. Do you have a point of order?

Senator McCarthy. Yes, I certainly have. Senator Jackson said that there had been a change, and he turns around and accuses the witness of having said there was a change. The witness therefore said there was a change and it was Senator Jackson.

If there was a change, Scoop, tell us where the change was.

Senator Jackson. I am asking the witness and he had custody of the original picture when there were three in it.

Senator McCarthy. Just a minute.

Senator Jackson. Make a point of order. It is my time. Senator McCarthy. My point of order, Mr. Chairman—

Senator Jackson. I don't want this out of my time.

Senator McCarthy. Mr. Chairman, my point of order is this: That Mr. Jackson talked about a picture that had been changed, and after he had made the statement he starts questioning the witness about his own statement.

Senator Jackson. Mr. Juliana——

Senator Mund. It is dropped and I am sure Senator Jackson wants the witness to be sure he understands the questions.

Senator Jackson. Mr. Juliana, the picture that you now have in

your hands is the picture that you turned over to Mr. Surine?

Mr. Juliana. Yes, sir.

Senator Jackson. That is the picture from the office of G. David Schine?

Mr. Juliana. Yes, sir.

Senator Jackson. From which the photostats were later made?

Mr. Juliana. Yes, sir.

Senator Jackson. The picture that was introduced in evidence which is on your desk, and underneath the picture, you had in your

and, is the picture the same as the one that was taken from G. David chine's office?

Mr. Juliana. No, sir.

Senator Jackson. That is all.

Senator Mundt. Senator Potter. Senator Potter. Mr. Juliana, after you received the four large ow-up pictures, did I understand you to state that you discussed nem or you had conversation with Mr. Cohn?

Mr. Juliana. No, Senator I did not say that.

Senator Potter. In other words, you didn't discuss with Mr. Cohn, r Mr. Carr, or Senator McCarthy which blow-up would be submitted the committee?

Mr. Juliana. No, sir.

Senator Potter. I have no other questions.

Senator Mundt. Senator Symington.

Senator Symington. Mr. Juliana, you mentioned the fact that you ad been a member of the Federal Bureau of Investigation?

Mr. Juliana. Yes, sir.

Senator Symington. In my opinion one of the greatest organizaons this country has ever or ever did have.

Mr. Juliana. I agree with you, sir.

Senator Symington. Mention was made of the fine record of Mr. arr.

Mr. Juliana. Yes, sir.

Senator Symington. With that organization, and also this morning ention was made of Mr. Anastos' record with the Department of Jusce, and the fact he left that Department and came over to work with nis committee under proper conditions, and honorable conditions. ould I ask you why you left the FBI?

Mr. Juliana. I left the FBI for personal reasons; I resigned and I

asn't fired.

Senator Symington. Did you resign from the FBI?

Mr. Juliana. Yes, sir.

Senator Symington. You were not discharged?

Mr. Juliana. No.

Senator Symington. You left under honorable conditions?

Mr. Juliana. Very honorable.

Senator Symington. I thought we owed that to you because we have sked it of the other witnesses as they came up.

Mr. Juliana. Yes, sir.

Senator Symington. I have no further questions.

Senator Mundt. Senator Dworshak.

Senator Potter. Senator Dworshak had to leave.

Senator Mund. It is impossible to see who is at the right on account f the light, so I have to call for them whether I see them or not.

Mr. Welch.

Mr. Welch. Mr. Chairman, I am afraid I shall have a reputation puntrywide as a clock watcher, but we are a way beyond the point of djournment, and I naturally have questions of burning importance ome to ask this witness, and may we not ask to have lunch?

Senator MUNDT. Do you feel that you have more questions than you

in dispose of in a 10-minute period?

Mr. Welch. I think that that is likely, sir.

Senator McCarthy. Mr. Chairman, Mr. Welch says he has got questions of burning importance, and I don't think he should burn over the noon hour. I would like to finish with this witness and get Mr. Stevens back on. May I say that my questioning will be very, very brief, no more than a minute or a minute and a half.

Senator Mundr. If Mr. Welch feels he cannot finish in 10 minutes, I think then that we should recess for lunch; and if we could finish, it

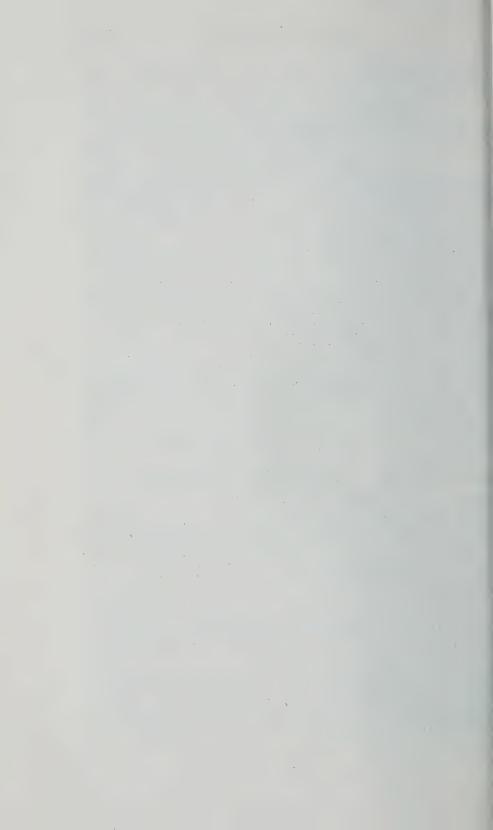
would be a way of expediting the hearings.

We will recess then until 2:30 this afternoon.

(Whereupon, at 1:50 p. m., the hearing was recessed until 2:30 p. m. of the same day.)

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SPECIAL SENATE INVESTIGATION ON CHARGES AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING

BEFORE THE

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS UNITED STATES SENATE

EIGHTY-THIRD CONGRESS

SECOND SESSION

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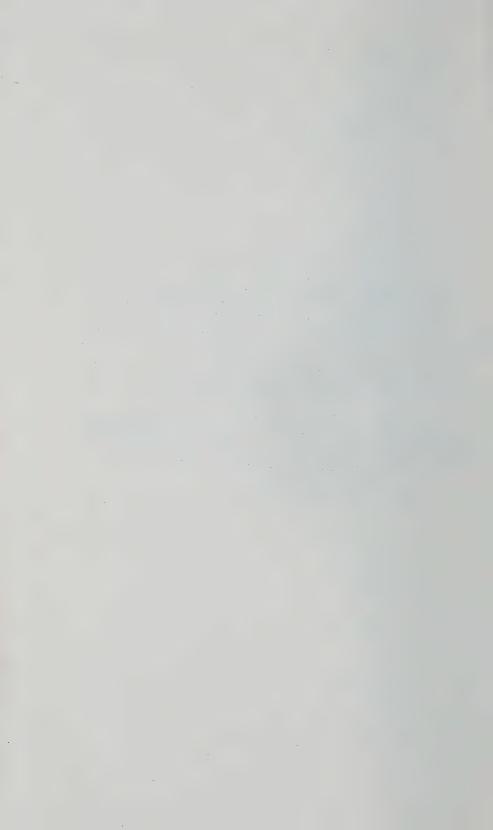
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FRIDAY, APRIL 30, 1954

United States Senate,
Special Subcommittee on Investigations of the
Committee on Government Operations,

Washington, D. C.

AFTER RECESS

(The hearing was resumed at 2:30 p. m., pursuant to recess.)
Present: Senator Karl E. Mundt, Republican, South Dakota, chairman; Senator Everett M. Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Principal participants: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; and Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense. Senator Mundt. The committee will please come to order.

Before we resume with Mr. Juliana who is in the witness chair, the chairman would like to announce for the benefit of his colleagues and to the credit of the Senate Ladies' Club that we have adjudicated one of the collateral controversies which have arisen in connection

with these hearings.

We find, unhappily, that this room had been reserved some time ago for an annual luncheon of the Senate Ladies, which they put on here every year in May, which is Tuesday, May 4.

As you know, the committee has been trying to expedite the hearings as fast as possible, and we, by unanimous vote, decided we should

continue with the hearings.

And I have a letter here from Mrs. Allen Frear, wife of Senator Frear, who is chairman of the Program Committee of the Senate

Wives, which says that naturally they had hoped very much to have their luncheon here on an annual occasion, and—

The wife of the President is invited, but that she has contacted a majority of the chairmen of the luncheon committee, and the greater number has expressed a desire to release our rights to the caucus room and cancel the luncheon for Mrs. Eisenhower. We feel that the Rules Committee has been very generous and considerate of our request, which was to reserve the room, but we also realize that the business of the Senate necessarily takes priority over an engage ment such as this one.

On behalf of the committee, I desire to express our appreciation to the Senate wives. And, since this is an apology day, I apologize to the Senate wives on behalf of our committee. We are sorry that this conflict arose between a very pleasant occasion and a very unpleasant business. And we appreciate very much their consideration.

Mr. Juliana, I believe you were on the witness stand.

Will someone refresh the memory of the Chair as to where we left off? It was your turn, Mr. Welch.

TESTIMONY OF JAMES N. JULIANA—Resumed

Mr. Welch. Mr. Chairman, when I suggested this morning that the Senator from Wisconsin, I would be happy to see him follow Mr Stevens to the witness stand, he nodded his head in what I took to be agreement.

And I would like to say to you, Mr. Senator, that I am confident if you now join in that request, that Mr. Jenkins will see to it that the

order is interrupted and that you do go on.

Senator Mundt. The Chair must remind again the counsel for Mr Stevens, that the control of the hearings is in the hands of the subcommittee and of our counsel, and we will decide the order of witnesses.

Mr. Welch. Perhaps I spoke thoughtlessly. I supposed if the Senator added his great power to my small voice it would be done

that way.

Senator Mundt. I doubt whether, collectively and in concert, you could decide the decision of the subcommittee on that score, sir.

Mr. Welch. I beg your pardon; I merely hoped I could effect it. Senator Mundt. You have the right to try.

Senator McCarthy. I might say, if the Chair wants me to, I wil

be glad to answer it.

Mr. Jenkins. I desire to say, Mr. Chairman, that I have never given any indication to any of the parties interested as to the order in which the witnesses would be put on.

Senator Mundt. Very good.

Mr. Welch. Could I have that remark read; I couldn't get it.

Mr. Jenkins. I said I desire to say, Mr. Welch, that I have given no indication to anyone as to the order in which we desire to put on the

Mr. Welch. Then we may all have a glad surprise.

 ${f I}$ have had my stopwatch running for 2 or 3 minutes, but ${f I}$ guess ${f I}$ an

Senator Mundt. Will you proceed?

Mr. Welch. Mr. Juliana, I think perhaps it would help us, in this courtroom, if we now got a precise schedule of events as they tool place.

On what day did Mr. Schine, as you understand it, go to New York to get the photograph that has been the subject of so much discussion?

Mr. Juliana. I do not know the exact date. It was either last Wednesday or Thursday, I believe.

Mr. Welch. Of last week? Mr. Juliana. Yes, sir.

Mr. Welch. And when did the photograph come into this room? Mr. Juliana. I received the photograph Thursday, the first day of these hearings.

Mr. Welch. At about what time of the day, sir?

Mr. Juliana. I think it was between 3:30 and 4 o'clock in the

afternoon.

Mr. Welch. Am I wrong, or would you say I was wrong, if I said I was under the impression Mr. Schine brought them on the very day that you received them, sir?

Mr. JULIANA. No; I think you are right.

Mr. Welch. And so you came into the possession of the disputed photograph on the afternoon of Thursday, a week ago yesterday, at about 3 p. m.?

Mr. Juliana. Yes, sir.

Mr. Welch. And when did you first talk to anyone about the photo-

graph after it came into your possession?

Mr. Juliana. I spoke to Mr. Cohn in the caucus room during the hearings, by whispering into his ear that the photograph or the picture, what I assumed to be the photograph or the picture, had arrived.

Mr. Welch. The photograph, is that right?

Mr. Juliana. I didn't know what the photograph was.

Mr. Welch. You just said the photograph, and you didn't say a photograph?

Mr. Juliana. I will now say a photograph.

Mr. Welch. You want to change your testimony?

Mr. Juliana. I sure do; a photograph.

Mr. Welch. By the way, would you like to change your testimony in any respect in which you testified this morning?

Mr. JULIANA. I don't believe so. Mr. Welch. Have you read it, sir?

Mr. Juliana. Yes; I have.

Mr. Welch. Now, you whispered to him not "the photograph has come," you are now sure, but "a photograph has come"; is that right? Senator McCarthy. Could I have that question read?

Senator Mundt. Will the reporter read the question, please?

(Whereupon, the question referred to was read by the reporter as

above recorded.)

Mr. Welch. I think perhaps I had better state it again, because these questions unhappily depend a little on the inflection you give them.

When the picture reached the courtroom, you turned to Mr. Cohn

and whispered something to him, didn't you?

Mr. Juliana. I advised Mr. Cohn of something; yes, sir.

Mr. Welch. Advised him in a whisper, didn't you?

Mr. Juliana. Yes, sir.

Mr. Welch. What did you advise him in a whisper? That the photograph had come or merely that a photograph had come?

Mr. Juliana. I don't recall the exact words. I may have said the picture has arrived.

Mr. Welch. The picture? Mr. Juliana. Or a picture.

Mr. Welch. Now would you like to choose?

Mr. Juliana. I won't choose either one or the other, because I cannot swear what I told Mr. Cohn.

Mr. Welch. Were you under the impression that Mr. Cohn was expecting a picture?

Mr. Juliana. I was under that impression.

Mr. Welch. Were you under the impression that Mr. Cohn was expecting a picture showing Secretary Stevens and Schine alone?

Mr. Juliana. I did not know.

Mr. Welch. Now yes or no. Were you under the impression Cohn was expecting a picture showing Secretary Stevens and Private Schine alone?

Mr. Juliana. I am not going to answer that yes or no, because if

I do it is an unfair question.

Mr. Welch. I don't think that is very unfair. Did you understand—I am only asking you what you understood, sir. Did you understand—may I finish the question?

Mr. Juliana. Yes, sir.

Mr. Welch. Did you understand Mr. Cohn was leaning forward in his seat hoping to see a picture of the Secretary and Schine alone?

Mr. Juliana. I was-

Senator Mundt. Have you a point of order?
Senator McCarthy. I was going to suggest to the Chair that while Mr. Welch is insisting upon a "yes" or "no" answer, it is impossible for the committee to know if it can be answered "yes" or "no." I believe it is up to the witness to decide.

Mr. Welch. I don't want to be unfair to the witness. I thought

it was a fair question.

Would you tell me, Mr. Jenkins, if I am wrong?

Senator Mundt. Counsel has a right to ask for a "yes" or "no" answer. If the witness is unable to answer it "yes" or "no," I presume he has a right to say so.

Senator McCarthy. I thank you, Mr. Chairman. Mr. Juliana. Would you repeat the question, please?

Mr. Welch. Yes. When you leaned over to tell this glad, good news to Mr. Cohn, were you under the impression that he was hoping to hear you had a picture of the Secretary and Private Schine alone?

Mr. Juliana. I was not under the impression that this was glad

news to Mr. Cohn.

Mr. Welch. Glad good news.

Mr. Juliana. Glad good news to Mr. Cohn. I was under the impression that Mr. Cohn knew and was expecting a picture of Mr. Schine and Secretary Stevens to be brought here from New York.

Mr. Welch. Which picture Mr. Cohn wished to have placed in evi-

dence?

Mr. Juliana. I assume that that is what the purpose of the picture

Mr. Welch. Without any doctoring? Mr. Juliana. I assume that, too; yes, sir.

Mr. Welch. Why did you doctor it, then, when you got the very picture you now tell us Cohn wanted put in evidence?

Mr. Juliana. I "doctored" the picture? I contend I did not doctor

Mr. Welch. All right, altered. Would you like that word better, sir?

Mr. Juliana. Would you repeat the question again, please?

Mr. Welch. Would you read it to him?

Senator Mundt. The reporter will read the question.

(Whereupon, the question was read by the reporter as above recorded.)

Mr. Welch. Would you like better to use the word "altered" than "doctored"?

Mr. Juliana. I believe something preceded the word "altered" in that question.

Mr. Welch. Would you read the question ahead of the one about

"altered" which had this word "doctored" in it, sir?

(The questions referred to were read by the reporter as above re-

Mr. Welch. Now, do you understand where the question stands, Mr. Juliana? If you don't, I would like to make it clear to you.

Mr. Juliana. Would you make it clear, please?
Mr. Welch. My question to you is: Why, then, did you either "doctor" or "alter" a picture that you then had in your possession which you understood was the very picture Cohn wished to put in evidence?

Mr. Juliana. I was under the impression, as I previously testified to here, and I was under the instructions, we can call them, by Mr. Cohn and/or Mr. Jenkins, that I was to blow up this picture and to make available to Mr. Jenkins a picture of Mr. Schine and Secretary Stevens.

Mr. Welch. Alone?

Mr. Juliana. The word "alone" was never mentioned to me. Mr. Welch. I find myself so puzzled to know why you just did not make a photostat of the picture that was delivered to you that afternoon and hand it over to Mr. Jenkins. Would you tell us how come you did not do that?

Mr. Juliana. I just mentioned or just stated that I was under in-

structions to furnish a picture of only the two individuals.

Mr. Welch. Then you mean-

Senator Mundt. I am sorry, the counsel's time has expired.

Senator McCarthy?

Senator McCarthy. Just one of two questions, Jim.

Mr. Welch has been using the word "altered" or "doctored" very deliberately and very carefully in each sentence almost. I want to ask you to look at the picture that Mr. Welch presented and tell us whether or not in your opinion that is the same picture from which the enlargement was made. That was presented by Mr. Welch, in case you were not here, Mr. Juliana, with the assurance to the committe that that was the original from which the enlargement of Schine and Stevens was made.

Mr. Juliana. I think I will have to have that other picture, too.

Senator McCarthy. Why don't you give him all three pictures?

There are three pictures.

Mr. Chairman, could we just for the sake of keeping the record accurate, could we number exhibit 1—the picture from Dave Schine as 2, and the picture presented by Mr. Welch as No. 3?

Mr. Welch. They are already numbered somewhat differently,

Senator.

Senator McCarthy. How are they numbered, so I will know?

Mr. Juliana. This is No. 3, sir.

Senator McCarthy. The one from Schine's wall is No. 3?

Mr. Juliana. Yes, sir.

Senator McCarthy. And what number is the one introduced in evidence?

Mr. Juliana. No. 4.

Senator McCarthy. What number is the one produced by Mr. Welch?

Mr. Juliana. No. 2, sir.

Senator McCarthy. So let's call Welch No. 2, right? No. 3 is

Schine. And No. 4 is the first exhibit.

Could you tell me, Mr. Juliana, using Mr. Welch's definition of "doctoring," which apparently means what you call in newspaper parlance "clipping," is there a doctoring assuming picture No. 3 is the same as No. 2? Was there a doctoring of Welch's picture, also? Mr. Juliana. Yes, sir, I would say so.

Senator McCarthy. In other words, they clipped from that at

least half a man, right?

Mr. Juliana. At least, and a little more than half a man.

Senator McCarthy. Other things are clipped off the picture? Is that a fact?

Mr. Juliana. Yes, sir.

Senator McCarthy. So if you want to call it doctoring, using Welch's definition, Mr. Welch has also doctored a picture which he presented here, or someone else?

Mr. Juliana. I would think so.

Senator McCarthy. As far as the faces are concerned on both the Welch picture, the Schine picture, and the exhibit—as far as the faces, the posture of both Schine and Stevens, they appear to be almost identical in all three, right?

Mr. Juliana. They appear so; yes, sir.

Senator McCarthy. In other words, just so the record is clear, they are not put nearer together, they are not shoved farther apart.

Mr. Juliana. No. sir.

Senator McCarthy. So if you take the picture of Stevens and Schine and forget about the removal of the man who is removed from Welch's picture, the removal of the man who was removed from Schine's picture, there is no doctoring of any kind, is that correct? Mr. Juliana. Yes, sir.

Senator McCarthy. The expression of both Stevens and Schine is the same in all three pictures, is that correct?

Mr. Juliana. I would say so.

Senator McCarthy. The same plane in the background?

Mr. Juliana. It appears to be, yes, Senator.

Senator McCarthy. They are standing next to each other, of course.

Mr. Juliana. Yes, sir.

Senator McCarthy. Mr. Juliana, is it correct that you were asked to get the picture of Stevens and Schine enlarged; that request was made either by Mr. Cohn or by Mr. Jenkins; and that at that time you did not know about the fourth man in the picture who is in the Welch picture?

Mr. Juliana. Senator, I had never seen the picture before. Senator McCarthy. You had never seen the Welch picture?

Mr. Juliana. I had never seen any of these pictures.

Senator McCarthy. So someone either in the Army laboratory or the Air Corps laboratory, someplace, clipped the fourth man off; is that right?

Mr. Juliana. I would assume so, yes.

Senator McCarthy. You say that you assume responsibility for clipping off the third man?

Mr. Juliana. I so testified, Senator.

Senator McCarthy. Mr. Juliana, before you came to the committee, now many years did you work in the FBI?

Mr. Juliana. Approximately 6½, sir.

Senator McCarthy. At one time was Mr. Frank Carr, the chief counsel of the committee, your superior?

Mr. Juliana. He was, sir.

Senator McCarthy. In other words, you worked in the Communist subversive squad in New York; is that correct?

Mr. Juliana. Yes, Senator. Senator McCarthy. And you helped develop the evidence which resulted in the conviction of the 11 so-called second-string Communists?

Mr. Juliana. If I may correct you just a little, it was the 11 firststring Communists, and the second stringers I believe, amounted to

Senator McCarthy. In other words, you worked on the first string and the second string?

Mr. Juliana. Yes, sir.

Senator McCarthy. I am going to ask you a question now. You may not be able to answer it, Mr. Juliana, because of the rules and

regulations of the FBI.

For the year and a half or 2 years before you came with the committee, what kind of work were you doing for the Federal Bureau of Investigation? As I say, if you feel you are violating a rule or regulation insofar as secrecy is concerned, you, of course, may refuse to answer that question.

Mr. Juliana. I believe I can answer it by stating that I was on a confidential assignment involving the internal security of this coun-

Senator McCarthy. Can you go this far without violating your instructions, to say that you were on a highly confidential assignment having to do with communism and espionage in the United States?

Mr. Juliana. Yes, sir.

Senator McCarthy. No further questions, Mr. Chairman. Mr. Jenkins. I have no further questions, Mr. Chairman. Senator Munder. Mr. Juliana, the Chair would like to determine—I think you have answered this question; perhaps I am repetitious—but I would like your forthright answer as to whether or not you acted on your own responsibility in producing for the committee the photograph from which the likeness of Colonel Bradley had been eliminated; or did you do that in conjunction with a plan or a program which was worked out between you and others?

Mr. Juliana. Senator, I took the responsibility to advise the individual who actually went to the photostat room with it, to eliminate the colonel. However, I was acting on instructions that I had re-

ceived from, as I have stated, Mr. Cohn and/or Mr. Jenkins.

Senator Mundt. Yes, but as you have stated, neither Mr. Cohn nor Mr. Jenkins, I believe, asked you to eliminate anything from the picture.

Mr. Juliana. No.

Senator Mundt. They asked you to reproduce a blown-up photostat if you had one of Secretary Stevens and Private Schine?

Mr. Juliana. Yes, sir.

Senator Mund. It was your action, your instructions relayed to the photostater or photostatee—if there is such a word; whoever did the photostating—relayed to the photostat laboratory that resulted in Colonel Bradley's being deleted?

Mr. Juliana. Yes, sir; I took that responsibility.

Senator Munder. You took that responsibility yourself.

The question, I think, which is of paramount interest to the committee and the country is why you did that? Was that done with intent to deceive Mr. Jenkins or the committee?

Mr. Juliana. That was done with no intent to deceive anyone, nor

was it done with any intent to trick anyone.

It was done because I had instructions to furnish Mr. Jenkins with

a picture of Secretary Stevens and Mr. Schine.

Senator Mundt. So that you are testifying that it was your impression that the subcommittee was primarily interested in the likenesses of Secretary Stevens and Private Schine?

Mr. Juliana. Yes, sir.

Senator Mund. Are you quite sure, in searching your conscience and your mind, that there was no attempt to deceive or defraud anybody by what you have done?

Mr. Juliana. I know of no such intent, Senator.

Senator Mund. Are you quite sure that none of your associates had suggested to you that perhaps it might be a good trick to eliminate Colonel Bradley?

Mr. Juliana. No one ever suggested any such thing to me.

Senator Mundt. You are quite sure that the deletion was made on your own responsibility, then, laboring under whatever impression you have?

Mr. Juliana. I am quite sure; yes, sir.

Senator Mund. What was your purpose of having the additional three photostats made? You had two made, I think, with the colonel out of the picture, and two of them made with the colonel in the picture. And was that to have them available if the committee wanted them, and had somebody instructed you to do that, or what was the purpose of that?

Mr. Juliana. Senator, I had no instructions as to the number of copies to be made. I did, or I instructed Mr. Surine to have 2 and 2 made, and why at this point I can't say definitely. But I would go a little further and say it was most likely because in the past I have always had an additional copy made of almost every document I ever had photostated, which goes into thousands of documents with the FBI, when I was so employed.

Also, I thought in my own mind it would be good to have an extra

copy available.

Senator Mundt. What did you have in mind at the time you said to Mr. Surine, "Have the photostat laboratory make us four, two with the colonel in and two with the colonel out"?

Mr. Juliana. For the same reason, it was to have extra copies avail-

able, I assume, and for no other reason that I know of.

Senator Mundt. Was there some uncertainty, in your mind at that time, as to whether the subcommittee wanted the group of three or the group of two? Or I was wondering why you asked him to make two of each?

Mr. Juliana. There was no uncertainty at all in my mind, Senator, and I was under instructions to get the picture of the two individuals in it; and no one had given me instructions to make any number of

copies.

Senator Mund. So much now for getting the picture. Do you also assume the responsibility for yourself of determining which of the four pictures which had come back to you as enlarged photostats was subsequently delivered to counsel Jenkins in the newspaper wrap?

Mr. Juliana. I do.

Senator Mund. Did you do that on your own or after consultation with other members of the staff, as to which of the four should be delivered?

Mr. Juliana. I did that on my own as best as I can recollect, sir.

Senator Mund. And acted on your own responsibility?

Mr. Juliana. Yes, sir.

Senator Munder. With any intention to deceive or under the impression that that was the significant part of the picture?

Mr. Juliana. Without any malicious intention whatsoever, Senator. Senator Mundr. Was there any intention to deceive whatsoever, whether malicious or not?

Mr. Juliana. No, sir.

Senator MUNDT. Senator McClellan?

Senator McClellan. Do you also take the full responsibility for withholding from counsel, Mr. Jenkins, any knowledge or information that this picture of Mr. Schine and Secretary Stevens was taken from a group picture?

Mr. JULIANA. I do, Senator McClellan.

Senator McClellan. Then the counsel at the time he presented the picture that is now exhibit No. 4, of Mr. Schine and Secretary Stevens, had no knowledge that it came from a group picture, did he?

Mr. Juliana. To my knowledge, he did not.

Senator McClellan. You did not acquaint him with that fact?

Mr. Juliana. No, sir.

Senator McClellan. You take the responsibility now for failing to inform him so that he might have been guided accordingly, do you?

Mr. Juliana. I do; yes, sir.

Senator McClellan. That is all. Senator Mundt. Senator Dirksen?

Senator Dirksen. I have only one question. Why did you deliver 2, since they were different photographs, and why did you not deliver a blowup of each one of the photographs, and 1 containing 3 characters

and 1 containing 2?

Mr. Juliana. The only reason I did not, Senator, was because in discussing this picture with Mr. Cohn and Mr. Jenkins at the original meeting, there was never any mention of another party, and I was under the continual instruction to furnish a picture of Secretary Stevens and Private Schine.

Senator Dirksen. I have no more questions. Senator Jackson. I have no questions.

Senator Munder. Senator Jackson and Senator Potter?

Senator Potter. I have no questions. Senator Symington. I have no questions. Senator Mundt. Senator Dworshak? Senator Dworshak. I have no questions.

Senator Mundt. Mr. Welch?

Mr. Welch. Mr. Juliana, you just told us that you were under continuous instructions to furnish a picture of Stevens and Schine; is that right, sir?

Mr. Juliana. That is right; yes, sir.

Mr. Welch. For how long a period had you been under those con-

tinuous instructions?

Mr. Juliana. I believe the first meeting was one night last week, and whether it was Tuesday or Wednesday I don't know. Then, again, when I told Mr. Cohn in the caucus room here that the picture had arrived.

Mr. Welch. Yes, sir.

Mr. Juliana. They're the only times I believe that I got any in-

structions concerning the picture.

Mr. Welch. So that over a period of a week or more you were under what you have called continuous instruction to produce a picture of Secretary Stevens and Schine?

Mr. Juliana. No, Mr. Welch, it was over a period of 2 or 8 days.

Mr. Welch. Two or three days?

Mr. Juliana. Yes, sir.

Mr. Welch. And like a good hired man, in the end you produced, didn't you?

Mr. Juliana. Yes, sir.

Mr. Welch. Now, in answer to some questions—strike that out.

You were asked some questions by Senator McCarthy about the big picture which is exhibit 2.

Mr. Juliana. Yes, sir. Mr. Welch. You do not wish to suggest to this committee or to the country that a man named Welch clipped exhibit 2, do you?

Mr. Juliana. No, sir; I do not. Mr. Welch. You don't for a moment think it is possible that Welch clipped exhibit 2, do you?

Mr. Juliana. It is possible.

Mr. Welch. But you don't believe it for a moment?

Mr. Juliana. No, sir.

Mr. Welch. Thank you for that.

Mr. Juliana, isn't it the simple truth that no blowup of the original Schine picture was needed in the first instance?

Mr. JULIANA. I don't follow the question.

Mr. Welch. Let me put it to you this way: We have been able to get along all right in the courtroom with the very thing that was brought down from New York, haven't we? Do you see it?

Mr. Juliana. Well, I think I just assume that the only reason it

was blown up was so that it would be exhibited easier.

Mr. Welch. Easier?

Mr. Juliana. Yes. Mr. Welch. Well, then, the only thing to do was to bring in the photostat of the original picture, with three people in the case, isn't that right?

Mr. Juliana. I wasn't asked for it and I didn't deliver that.

Mr. Welch. I think that is right. You were asked for something different from the thing that hung on Schine's wall.

Mr. JULIANA. I never knew what hung on Schine's wall.

Mr. Welch. You did know what hung on Schine's wall when that was handed to you, sir.

Mr. Juliana. I did not know what hung on Schine's wall.

Mr. Welch. Did you think this came from a pixie? Where did you think this picture that I hold in my hand came from?

Mr. Juliana. I had no idea.

Senator Mundt. Senator McCarthy says he couldn't hear the question. It will be reread.

(Whereupon the question referred to was read by the reporter as

above recorded.)

Senator McCarthy. Will counsel for my benefit define—I think he might be an expert on that—what a pixie is?

Mr. Welch. Yes. I should say, Mr. Senator, that a pixie is a close relative of a fairy.

Shall I proceed, sir? Have I enlightened you?

Senator McCarthy. As I said, I think you may be an authority on what a pixie is.

Senator Mundt. Counsel may proceed.

Mr. Welch. Mr. Juliana, my question to you now is, When we come right down to this caucus room, we can do very well with exhibit 3

which I hold in my hand, can't we?

Mr. Juliana. I think it would suffice, but I also think that even your blown-up picture is much larger and would be much nicer to handle and would be better for the television cameras and for the audience.

Mr. Welch. Mr. Juliana, would you do me the courtesy of remembering that I, if I produced what I thought was the original picture, to be effective needed to produce it on the scale of exhibit 4, which I now hold in my hand—do you follow me, sir?

Mr. Juliana. No, I do not, sir. Mr. Welch. Perhaps it is a little obscure.

Mr. Juliana. I see.

Mr. Welch. Another thing: You just told Senator Mundt that you had no malicious intent when you handed in what I shall now call the smaller picture; is that right?

Mr. Juliana. That is correct, sir.

Mr. Welch. Are you intensely sorry that you did it?

Mr. Juliana. Due to the fact that——Mr. Welch. I don't care due to what fact.

Mr. Juliana. Due to the fact that it has wasted so much time, I am sorry.

Mr. Welch. Only that, sir?

Mr. Juliana. Yes, sir. Mr. Welch. Your conscience, then, doesn't bother you to this moment; is that right?

Mr. Juliana. I did nothing wrong, in my conscience, and it does

not bother me.

Mr. Welch. Don't you think a terrifically unfortunate situation was created when Mr. Stevens sat in this chair and was confronted with your doctored picture?

Mr. Juliana. I respect the Secretary of the Army as I do any other Cabinet member of this country, and I wouldn't want to do anything

to harm him.

Mr. Welch. Thank you, sir.

Were you in this room when he was cross-examined by Mr. Jenkins in respect to that picture?

Mr. Juliana. I believe I was part of the time. I believe I was. Mr. Welch. Did you hear the question asked him as to whether or not—I refer now to page 434 of the record, where Mr. Jenkins said to him:

I did not say "demand," but was your picture after David Schine was drafted ever taken with you alone at your suggestion, anywhere?

Were you in the room when that question was asked the Secretary of the Army as he sat by my side?

Mr. Juliana. I cannot testify that I was in the room at that time.

I may have been.

Mr. Welch. Did you fail to catch that word "alone"? Mr. Juliana. I did fail to catch the word "alone."

Mr. Welch. Now I turn to Mr. Cohn's testimony, and I observe that on page 633 he testified:

And, as a matter of fact, I did not even catch the word "alone" put in there by Mr. Jenkins.

It is unfortunate that neither of you two men who held the key to this puzzle heard that word "alone," isn't it?

Mr. Juliana. If you so term it "unfortunate," it might be. I don't

term it "unfortunate."

Mr. Welch. You don't care? Mr. Juliana. I sure do care.

Mr. Welch. Then it was unfortunate that the two men who held the key to this small fraud, as I claim it was, failed to hear that word "alone."

Mr. Juliana. Do you claim I was involved in a fraud, Mr. Welch? Mr. Welch. I claim that there was at least a small fraud or else a terrible unfortunate mistake.

Mr. Juliana. I resent the implication, and I have testified that I took the responsibility.

Mr. Welch. All right.

Now as to the hearing of the word "alone," have you observed that Mr. Cohn is perhaps slightly hard of hearing as he is slightly near-sighted?

Senator McCarthy. How long, Mr. Chairman-Senator MUNDT. Have you a point of order?

Senator McCarthy. Yes, it is a point of order.

How long must we put up with this circus? Is counsel trying to licit information? Good. If he is looking for a laugh from the udience, talking about physical defects of my chief counsel, it is so ndecent and so dishonest—I am not talking about any physical lefect which Counsel Welch may have. I do not intend to. Let's get down to the issues, Mr. Welch.

Mr. Chairman, may I point out each minute we waste here is vasting a vast amount of manpower, very important manpower, I hink; the manpower of eight Senators and the heads of our Military

Establishment.

Senator Mundr. The Chair will have to say that I doubt that that s a point of order. I would like to remind the people in the comnittee room and the audience that the chairman of the congressional committee does not have the authority that a judge has in court. All he can do is enforce the rules that the committee has. Those rules provide that counsel for each side may have 10 minutes in which to interrogate the witness, and as long as the questions are elevant and material, regardless of whether they are repetitious or ot, the Chair does not feel he has the power to stop counsel or Senaors from asking questions.

Senator McCarthy. Mr. Chairman, may I ask a question just for information? I think the Chair may be completely correct that ne is without power, but what do you do when the rule says you have .0 minutes to ask questions, if counsel uses the 10 minutes to clown

nd keep his own witness from the stand?

Senator Mund. The Chair simply has the power to tell the counel that his time has expired. We have proceeded on the basis that hese questions are to be asked by counsel and by Senators, and the Chair has no power over either Senators or counsel to tell them what uestions they can and cannot ask, as long as they appear to be releant or material.

You may proceed, Mr. Welch.

Mr. Welch. Mr. Chairman, I am confident that Mr. Jenkins knows he difference between questioning and clowning, and if Mr. Jenkins observes me clowning, I wish him to discipline me, as he freely may nd should.

Are my 10 minutes up? I observe by my clock it is.

Senator MUNDT. You have a minute left.

Mr. Welch. Is your hearing good?

Mr. Juliana. Excellent.

Mr. Welch. Had you heard that word "alone" in Mr. Jenkins' uestions would you have sprung to the defense of Secretary Stevens?

Mr. Juliana. You are asking me a hypothetical question.

Mr. Welch. Yes, I am, indeed.

Mr. Juliana. I may have, yes, sir, if I had heard it.
Mr. Welch. You would have been quick to spring to his defense?

Mr. Juliana. Possibly.

Mr. Welch. From which it follows that you know an injustice vas done him, don't you?

Mr. Juliana. No, I would not say that.

Mr. Welch. Were you going to spring to his defense in case where no injustice was done him?

Mr. Juliana. I didn't get that, Mr. Welch.

Mr. Welch. Were you going to spring to his defense under circumstances where no injustice was being done him?

Mr. Juliana. I still don't follow it. Maybe the reporter should

Mr. Welch. Maybe the committee does, too. My question is, first in two parts. If you had heard the word "alone," in Mr. Jenkins question, you have, I think, said you would have been quick to spring to Secretary Stevens' defense, is that right?

Mr. Juliana. I did not say that, sir. I said I may have. Mr. Welch. You would have liked to, wouldn't you, in fairness

Mr. Juliana. I may have.

Mr. Welch. And if you were going to spring to his defense, in would have been because you thought a very unfortunate situation was created by what you did to that picture?

Mr. Juliana. Possibly so.

Senator Mundt. Your time has expired.

Senator McCarthy?

Senator McCarthy. Mr. Chairman, I would normally have some questions to ask. But I have been waiting here patiently all day to get Secretary Stevens back on the stand, and so I shall forego any questioning at this time.

Senator Mundr. The turn of the clock reverts to Mr. Jenkins and

Mr. Jenkins. I have no questions. Senator Mundt. The Chair has none.

Senator McClellan?

Senator McClellan. For the present, I pass, Mr. Chairman.

Senator Dirksen. I have no questions. Senator Jackson. I have just one question.

Does Mr. Surine normally do the photostating for the committee or make the arrangements?

Mr. Juliana. I don't think so. No, Senator.

Senator Jackson. How did it happen that Mr. Surine was called upon to handle the photostating?

Mr. Juliana. I thought that, Don, with his experience on the Hill

which is a lot longer than mine-

Senator Jackson. What do you mean, experience?

Mr. Juliana. He has been working in the building here a lo longer than I have. Could expedite-

Senator Jackson. I mean on this photostating?

Mr. Juliana. Could expedite the photostating as well as anyone on the staff.

Senator Jackson. That was the reason why you turned it over

Mr. Juliana. Yes, sir.

Senator Jackson (continuing). To have it photostated?

MI. JULIANA. That is right.

Senator Jackson. Just the mechanical act of taking it down and carrying out your instructions—

Mr. Juliana. Yes, sir.

Senator Jackson (continuing). Nothing else?

That is all.

Senator Mundt. Senator Potter?

Senator Potter. I have no further questions.

Senator Mundt. Senator Symington? Senator Symington. I have no questions. Senator Dworshak. I have no questions. Senator McCarthy. Mr. Chairman—Senator Mundt. Mr. Welch comes first.

Mr. Welch. Well, did you turn to Mr. Surine for assistance on the picture because you considered him peculiarly adept in dealing with pictures?

Mr. Juliana. No, sir.

Mr. Welch. One thing further only.

After the Army statement of events was published was some sort of a loyalty pledge circulated in your office?

Mr. Juliana. I don't believe I have to answer that question.

Mr. Jenkins. I do not consider that germane to the particular point of inquiry unless, Mr. Welch, you can show that it does reflect on the inquiry related to these pictures.

And I must advise the committee that it is not a proper question.

Mr. Welch. There is, between you and me, the familiar ground of credibility of the witness.

Mr. Jenkins. Credibility of a witness?

Mr. Welch. Yes.

Mr. Jenkins. Is the question directed to the credibility of the witess?

Mr. Welch. It is very simple, and—

Mr. Jenkins. Will you repeat the question, Mr. Welch?

Mr. Welch. At about the time the——

Mr. Jenkins. I remember the question, Mr. Welch. Is the question whether or not this witness circulated-

Mr. Welch. Or signed.

Mr. Jenkins. Mr. Welch, I fail to see where that would reflect on the credibility of the witness, frankly.

Mr. Welch. Could I ask, Mr. Jenkins, that you find out if there

was such an oath, and allow me to see it sometime?

Mr. Jenkins. I will explore that question. Mr. Welch. Thank you, sir.

I think that is all from the Army.

Senator McCarthy. I have one question.

Jim, Senator Jackson brought Don Surine's name into this, or someone did. Is it correct that the only function Don had was to follow your instructions and act as a messenger, and you told him—could the photographer move down a bit—that you told him to take the picture down and have an enlargement of the entire picture made and also have an enlargement of the portion of the picture which included only Secretary Stevens and Schine?

Mr. JULIANA. Yes, sir. And I might add that Don followed my

instructions implicitly.

Senator McCarthy. And Surine had nothing whatsoever to do with making any decision about what type of an enlargement there would be?

Mr. Juliana. He did not, sir, to my knowledge.

Senator McCarthy. In other words, he was merely a messenger boy for you, carrying the picture to the enlargement room and bringing it back to you?

Mr. Juliana. I don't like to refer to him as a messenger. But

actually that is what he did.

Senator McCarthy. I know he is not a messenger. He is an excellent adviser. But in this particular incident—

Mr. Juliana. Yes, sir; that is correct.

Senator McCarthy. And he did not discuss with you in any shape or form, which picture should be submitted to Mr. Jenkins, and he didn't know which one you would submit to Mr. Jenkins?

Mr. Juliana. He did not, sir. You are correct.

Senator McCarthy. Thank you.

Senator Mundt. Is there anything further?

Mr. Jenkins. Nothing further.

Senator Mundt. Do any of the Senators at my left have any questions?

Senator McClellan. I do not want to delay this but in view of the fact that some question has been asked about doctoring a large picture before you, I think it is exhibit No. 2, do you mean to imply that it has been doctored in any way?

Mr. Juliana. No, I do not mean to imply that.

Senator McClellan. It just occurred to me that that picture there may—and I do not know—represent the film in its entirety, and do you know whether it does or not?

Mr. Juliana. I do not, Senator. Senator McClellan. Thank you.

Mr. Jenkins. May I state for your information, Senator McClellan, that while we are on the subject of these photographs, and I do hope that in the interest of expediting this matter we have about explored that subject, the original of the Stevens-Adams exhibit will be introduced this afternoon and presently. It will clarify any question about whether or not any alteration of it was made. I think that will certainly complete the exploration directed at these photographs.

Senator Mund. Do any of the Senators at my right have any

further questions?
Any to my left?

Mr. Welch, do you have any questions? Mr. Welch. I have one single question.

At page 1254 of the record, which was your testimony this morning, would you read your answer that I point to?

Senator Mundt. Read the question, too. Mr. Welch. The answer is complete.

Mr. Juliana (reading):

My instructions were that I was to enlarge and give to Mr. Jenkins a photograph of Mr. Stevens and Private Schine.

Mr. Welch. And those instructions came in part from Mr. Cohn? Mr. Juliana. Yes, sir.

Mr. Welch. And you obeyed them?

Mr. Juliana. Mr. Cohn—

Mr. Welch. And you obeyed them?

Mr. Juliana. Mr. Cohn and/or Mr. Jenkins. Senator Mundt. Let the witness finish.

Mr. Welch. I said those instructions came in part from Mr. Cohn? Senator Mundt. You interrupted him halfway through his sentence and I was trying to get his full answer.

Mr. Juliana, My instructions came from Mr. Cohn, and/or Mr.

Jenkins.

Mr. Welch. Would you listen to the question?

Mr. JULIANA. I hear your question.

Mr. Welch. Your instructions came in part from Mr. Cohn?

Mr. JULIANA. You are right, yes, sir. Mr. Welch. And you obeyed them?

Mr. Juliana. Yes, sir.

Senator MUNDT. Senator McCarthy. Senator McCarthy. I have no questions.

Senator Munder. Without objection, the Chair is ready to dismiss Mr. Juliana and I will ask associate counsel, Mr. Maner, to call the next witness. Mr. Maner will take over temporarily for Mr. Jenkins.

Mr. Maner. The next witness will be Mr. Don Surine.

Senator McCarthy. Mr. Chairman, I would like to ask a question. We deviated from the ground rules in order to present the facts in regard to the photograph. I have sat here now for over a day listening to the facts being developed and I can see no reason to keep Mr. Stevens off the stand further.

There can be no question in anyone's mind about the picture, and it is very clear now that there was a picture on Dave Schine's wall which included Mr. Schine, Mr. Stevens, and some colonel standing by the side; but there was another picture with a fourth man's sleeve on it that Mr. Juliana gave Mr. Jenkins, and the picture of only Schine and Stevens; that Mr. Jenkins had no knowledge of a third man having been on it or a fourth man having been on it.

At this time, Mr. Chairman, I ask that we return to the usual order, and I call the Chair's attention to the rule No. 2 adopted, and this provides that once a witness is on the stand, first counsel have unlimited time to question him and then you alternate from side to side 10 minutes to start over until that witness' testimony has been

completed.

As the Chair knows, I came back here from out in Arizona, where I was doctoring a virus infection in my throat and I spent a day

with the committee. We agreed on these rules.

As the Chair knows, he called me the following day and read the rules to me and as the Chair knows I said that if it were firmly agreed that these ground rules would be followed, that I would temporarily step off the committee and appoint someone to take my place

Senator Dworshak. I make a point of order that for the third time during this hearing, the Senator from Wisconsin has made an erroneous statement to the effect that he has appointed someone to take his place on this committee. Is that a correct or incorrect

statement, Mr. Chairman?

Senator McCarthy. Could I finish? Could I finish my statement, Mr. Chairman?

Senator Mundt. I will answer Senator Dworshak and then return

Senator McCarthy. Could I make my statement without interruption?

Senator Munda. The Chair would like to answer the question, if

As the Chair recalls, the manner in which Senator Dworshak became a member of this committee was in conformity with the procedure by which he will become permanently appointed. The difference being, in your case it was a temporary selection. You were nominated by the Senator from Wisconsin, and you were confirmed by the full committee, and became a member of the subcommittee in that way.

Senator McCartily. May I say, just so there is no-

Senator Mundt. I might say, over your objection, over your negative vote.

Senator McCarthy. May I say, so there is no misunderstanding on the part of Senator Dworshak, there was a question of whether I should appoint or nominate or call it what you may, Senator Dworshak or Senator Butler. Senator Butler was not feeling well that day. I now wish he had been feeling well. Because of the temporary disability of Senator Butler, and for that reason alone, I nominated Senator Dworshak.

Mr. Chairman, may I finish now?

Senator Munder. You may. You are stating a point of order, I believe.

Senator McCarthy. Yes. I feel it is a very important point of

order.

The Chair called me. The Chair either personally, or his secretary, I don't recall which, read to me the rules proposed. At that time I dictated to the Chair's secretary a wire asking the Chair to call a meeting of the full committee so that these rules might be adopted, so that the nomination of Senator Dworshak might be confirmed. As the Chair will well recall, even though neither one of us were monitoring that conversation, as the Chair will well recall, it was the strict, distinct understanding that I was stepping off the subcommittee only because I agreed fully with the ground rules, and if there were any change in the ground rules during the proceeding, that I would insist upon resuming my place upon the subcommittee. The Chair knows that I happen to be chairman of the full com-

mittee, also. I am not asserting any rights as such. I am merely

asserting the right which we agreed upon.

If the Chair insists upon allowing Mr. Stevens more time, unless Mr. Stevens says he needs the rest, to call some man who is a messenger only, according to the testimony, to call other individuals who can add nothing to this picture, I will, Mr. Chairman, do everything I can to resume my position on the subcommittee from which I retired with the understanding that these ground rules would be followed.

Mr. Jenkins. Mr. Chairman, may I make a statement?

Senator Mundt. Mr. Jenkins.

Mr. Jenkins. Senator McCarthy, we have reached a decision with reference to Mr. Surine, and it will obviate the necessity of any further discussion about it, I am sure.

Senator McClellan. Mr. Chairman? Senator Mundt. Senator McClellan.

Senator McClellan. I would like to be heard to this extent: I do not agree with Senator McCarthy with respect to his interpretation of the rules adopted. I am just about as anxious as he is to get on with this hearing and to get the Secretary back on the stand. If Mr. Jenkins, or there are those who think Mr. Surine is a witness who should be heard in this controversy, and with the assurance of the Chair and Mr. Jenkins that he will later be called, without conceding the rules require this committee to do so, I would then move that we proceed to recall the Secretary of the Army.

Mr. Jenkins. Mr. Chairman, I now give that assurance, but we do have another witness who is a short witness that we desire to put on

before the Secretary of the Army is recalled.

Senator MUNDT. Counsel has advised the Chair that the actual negative is in the room, and the man who took it. I think he has been subpensed to appear.

Mr. Jenkins. We desire to call Mr. Manchester as the next witness.

Senator Symington. A point of order, Mr. Chairman. Senator Mundt. Senator Symington has a point of order.

Senator Symington. Mr. Chairman, am I to understand from the counsel and from you, sir, that before these hearings are over, Mr. Surine is to be called before this committee in these hearings?

Senator Mundt. Yes, sir; you have that assurance.

Senator Symington. I thank you. Senator McCarthy. I have one question. How long-

Senator Munder. The Chair overrules the Senator's previous point of order. He may make another.

Senator McCarthy. How long will this witness take?

Mr. Jenkins. Five minutes, Senator. No more.

Call Sergeant Manchester.

Senator Mundr. Sergeant Manchester is the next witness.

Mr. Jenkins. Call Mr. Manchester, please.

Senator MUNDT. Is Mr. Manchester in the room?

Mr. Jenkins. Sergeant Manchester.

Senator McCarthy. While the sergeant is being forwarded, Mr. Chairman, may I say I would like to have the Chair, if he will, call an executive session of this committee at such time as will not interfere with the public sessions. I would like to discuss matters having to do with the contacts between certain members of this committee and witnesses and the motives involved in some cases. I think that should be done in executive session at the very earliest possible moment, Mr. Chairman.

Senator Mundt. Are you Sergeant Manchester?

Sergeant Manchester. I am, sir.

Senator Mundt. Will you stand and be sworn, please?

Do you solemnly swear the testimony you are to give will be the truth, the whole truth, and nothing but the truth, so help you God? Sergeant Manchester. I do, sir.

TESTIMONY OF S. SGT. HERBERT RICHARD MANCHESTER

Mr. Jenkins. Sergeant Manchester, give your full name. Sergeant Manchester. Herbert Richard Manchester, sir.

Mr. Jenkins. What is your rank with the Army?

Sergeant Manchester. I am staff sergeant in the Army.

Mr. Jenkins. Where are you stationed?

Sergeant Manchester. I am not in the Army, sir; I am in the Air

Mr. Jenkins. Where were you on November 17, 1953, when certain photographs were made?

Sergeant Manchester. I was at McGuire Air Force Base.

Mr. Jenkins. McGuire Air Station?

Sergeant Manchester. McGuire Air Force Base.

Mr. Jenkins. Did you direct the making of certain photographs on that occasion?

Sergeant Manchester. I did, sir.

Mr. Jenkins. I hand you, Sergeant, a photograph, and I will identify it as being a photograph of the Secretary of the Army, Mr. Stevens; Mr. Schine; Colonel Bradley; and a fourth man whom I do not know. I will ask you to examine that photograph and state whether or not you directed the taking of it on November 17.

Senator Munder. Without objection the photograph will be entered as exhibit No. 6 in the series of photographs. The Chair hears none.

It is so ordered.

(The photograph referred to was marked as "Exhibit No. 6" and will be found in the files of the subcommittee.)

Senator Mundt. You may proceed further.

Sergeant Manchester. Yes, sir; this is the photograph that was taken that evening.

Mr. Jenkins. Can you identify the fourth man?

Sergeant MANCHESTER. Yes, I can, sir.

Mr. Jenkins. Who is he?

Sergeant Manchester. He is Mr. Carr.

Mr. Jenkins. Mr. Carr?

Sergeant Manchester. Yes, sir.

Mr. Jenkins. Now I will ask you to examine a photograph introduced by the Army, being the large one, exhibit No. 2, and state whether or not that in your opinion is the same photograph, the one you are now examining, and introduced by Mr. Stevens and Mr. Adams as the first photograph I handed you containing a picture of four men, with a deletion or omission of the fourth man.

Sergeant Manchester. Could you let me have that just once more,

sir

Mr. Jenkins. State whether or not the photograph you now look at, introduced by Mr. Stevens and Mr. Adams and showing 3 men and the sleeve of a fourth man, is in your opinion the same photograph as the one I first handed you, showing a photograph of 4 men, the fourth man being Mr. Carr.

Sergeant Manchester. It looks the same, sir. Mr. Jenkins. Is it or not in your opinion the same? Sergeant Manchester. In my opinion it is, sir.

Mr. Jenkins. Did you direct the taking of that photograph?

Sergeant Manchester. I did, sir.

Mr. Jenkins. Who was the photographer?

Sergeant Manchester. Staff Sergeant Lang, sir.

Mr. Jenkins. Do you know where he is?

Sergeant Manchester. In Japan right now, sir.

Mr. Jenkins. That was my understanding. Do you know whether or not he has been directed to return at my request?

Sergeant Manchester. I do not know, sir.

Mr. Jenkins. You do not know? Sergeant Manchester. No, sir.

Senator Munder. A point of order. Temporarily to be sure we have the record straight, for the reporter, what is the number of that large photograph? We have No. 3 and No. 2, the big blown-up one. Sergeant MANCHESTER. That is No. 2, sir.

Senator Mundt. No. 2 instead of No. 3?

Sergeant MANCHESTER. Yes, sir.

Senator Mundt. Mrs. Watt advises me that the one entered in evidence should be No. 2 instead of No. 4. That is so that we can have the record straight.

Mr. Jenkins. Being the first one I presented to the witness.

Senator Mundt. Yes.

Mr. Jenkins. Sergeant, do you know who—if they are the same photograph, made from the same print—deleted or cut out the fourth

Sergeant Manchester. Yes, sir. Mr. Jenkins. Who did that? Sergeant Manchester. I did, sir. Mr. Jenkins. You did that? Sergeant Manchester. Yes, sir. Mr. JENKINS. Why did you do that?

Sergenat Manchester. Well, the main reason, sir, was so that the photograph that I did have made would be centered on the three individuals who in my mind were the main characters of the picture.

Mr. Jenkins. You did not consider Mr. Carr a main character of

the picture, is that right?

Sergeant MANCHESTER. No, it is not that, sir.

Mr. Jenkins. Sergeant, did anyone direct you to do that? Sergeant Manchester. No, sir.

Mr. Jenkins. You did it entirely on your own initiative?

Sergeant Manchester. I did, sir.

Mr. Jenkins. To whom did you deliver that photograph?

Sergeant Manchester. I did not deliver it to anybody, sir; I sent one photograph to Private Schine.

Mr. Jenkins. At his request?

Sergeant Manchester. At his request, sir.

Mr. Jenkins. Is that the photograph I am now handing you? And I am asking you to please pass it to him. Being exhibit No. 3, being the same as exhibit No. 3, is that the one you sent to Private Schine?

Sergeant Manchester. This is not the exact one, it is a copy of the

Mr. Jenkins. I mean a copy. Sergeant Manchester. Yes, sir.

Mr. Jenkins. It is?

Sergeant Manchester. Yes, sir, it is a copy.

Mr. Jenkins. To whom did you send a copy of exhibit No. 6, being the first photograph I handed you when you took the witness stand? Sergeant MANCHESTER. I did not send this to anybody, sir.

Mr. Jenkins. Well, then, how-Do you know how Mr. Stevens and Mr. Adams came in possession of it and introduced it in evidence?

Sergeant Manchester. Of this photo here, as No. 2?

Mr. Jenkins. Yes.

Sergeant Manchester. I did not say how they came into possession of it, sir, and I do not know.

Mr. Jenkins. My question is, Do you know how they came into possession of the photograph filed as an exhibit, showing three men and the sleeve of, it now develops, Mr. Carr?

Sergeant MANCHESTER. Oh, no, sir.

Mr. Jenkins. You do not? Sergeant Manchester. No, sir.

Mr. Jenkins. And on your own initiative, you cut out the fourth

man, regarding him as unimportant?

Sergeant Manchester. It was not that I regarded him as unimportant, it is just that he was in an unfavorable position in the photo.

Mr. Jenkins. Sergeant, I hand you the negatives. How many

photographs were taken there that day?

Sergeant Manchester. There were eight photographs taken that day.

Mr. Jenkins. All at your direction?

Sergeant Manchester. All at my direction.

Mr. Jenkins. I think perhaps you had better file the negatives of those photographs out of an abundance of precaution, if these are the negatives, and I will ask you to examine them and state whether or not they are. If so, file them.

(The negatives referred to above were marked as "Exhibit No. 7"

and will be found in the files of the subcommittee.)

That is my examination-in-chief, and I now pass the witness.

(The witness examined the negatives.)

Senator Mundt. Sergeant, do you find eight negatives there? Sergeant Manchester. No, sir, there are only three negatives.

Senator Mundt. Three negatives? Sergeant Manchester. Yes, sir.

Senator Mundt. Where are the other five?

Sergeant Manchester. The other five, they were supposed to have been destroyed; and according to our base photo lab, they were destroyed.

Senator Mund. At whose order were they destroyed?

Sergeant Manchester. I imagine they were destroyed at the order of Warrant Officer Moe who was in charge of the base photo lab at McGuire Air Force Base.

Senator Munder. Why were they destroyed?

Sergeant Manchester. Due to the fact that they were too thin for printing, sir, and they were underexposed or something, some defect in the negative, and therefore they were not of any value to us.

Senator Mundr. When were they destroyed?

Sergeant Manchester. In all probability they were destroyed November 18, sir. I could not state.

Senator MUNDT. To the best of your knowledge, they were destroyed

the day after the picture was taken?

Sergeant Manchester. To the best of my knowledge, yes, sir. Senator Mundt. Did you do the blowup of the picture which is now known as exhibit No. 2, personally?

Sergeant Manchester. No, sir.

Senator MUNDT. Was it done at your order?

Sergeant Manchester. No, sir.

Senator Mundt. Do you know who did it? Sergeant Manchester. I do not, sir.

Senator MUNDT. Or from which negative?

Sergeant Manchester. No, sir; I do not know.

Senator Munder. You know nothing about the big photograph known as exhibit No. 2, introduced by Mr. Welch?

Sergeant Manchester. I do not, sir. Senator Mundt. Senator McClellan?

Senator McClellan. I have no questions.

Senator Mundr. Senator Dirksen.

Senator Dirksen. I have no questions.

Senator Potter. I have no questions. Senator Mundt. Senator Symington? Senator Symington. I have no questions.

Senator Mundt. Senator Dworshak? Senator Dworshak. I have no questions.

Senator Mundt. Mr. Welch? Mr. Welch. I have no questions. Senator McCarthy. Mr. Cohn.

Mr. Cohn. I have just one question. Sergeant, there was something, you say there were eight pictures taken on that day?

Sergeant Manchester. Yes, sir; there was.

Mr. Cohn. Do you have negatives or positives of all eight of those pictures?

Sergeant Manchester. No, we don't, sir.

Mr. Cohn. Is there any record of who was in each of those eight pictures?

Sergeant Manchester. No, sir.

Mr. Cohn. Of how many pictures do you have a record?

Sergeant Manchester. Three, sir.

Mr. Cohn. Do we have positives of those three pictures here?

Sergeant Manchester. No; we have the negatives of them, yes, sir. Mr. Cohn. But no positives have been made? Sergeant Manchester. I wouldn't know, sir. Yes.

Mr. Cohn. I just can't hear you, Sergeant.

Sergeant Manchester. Yes, there have been some made.

Mr. Cohn. Have they been supplied to Mr. Jenkins?

Sergeant Manchester. They have, sir.
Mr. Cohn. I was just wondering if we could take a little look at
those, Ray. Now, do you know of whom those five pictures, the
negatives of which have been destroyed, were taken?

Sergeant Manchester. No; I couldn't say, sir.

Mr. Cohn. You cannot say? Sergeant Manchester. No, sir.

Mr. Cohn. Can you tell us whether or not any of those five pictures were of Secretary Stevens and Private Schine alone?

Sergeant Manchester. No, sir. Mr. Cohn. You cannot tell us?

Sergeant Manchester. I cannot say, sir. I will say that it is my recollection we only took one picture of that type of Secretary Stevens and Private Schine, sir.

Mr. Cohn. And Colonel Bradley was in that picture and Mr. Carr?

Sergeant Manchester. Yes, sir.

Mr. Cohn. And you cut Mr. Carr out of the picture?

Sergeant MANCHESTER. Yes, I did.

Mr. Cohn. Has Mr. Welch accused you of having doctored the picture?

Sergeant Manchester. He hasn't, no.

Mr. Cohn. He hasn't made that accusation against you?

Sergeant Manchester. No.

Mr. Cohn. There was certainly nothing deliberate, and when you sent Private Schine the picture as an official photograph, there was no evil intent or no design on your part in having cut Mr. Carr out of the picture first; was there?

Sergeant Manchester. No, sir.

Mr. Cohn. I believe you say you wanted to center it on the people you regarded as the three central figures, Secretary Stevens, Private Schine, and Colonel Bradley; is that correct?

Sergeant Manchester. Yes, sir.

Mr. Cohn. I see. And you say you did not make the blowup of this picture?

Sergeant Manchester. I did not.

Mr. Cohn. And I assume you don't know who cut Mr. Carr off the blowup?

Sergeant Manchester. I do not, sir.

Mr. Cohn. You don't know who did that?

Sergeant Manchester. No, sir.

Mr. Cohn. Have you heard from Mr. Welch who might have cut Mr. Carr off that picture before Mr. Welch presented it to the committee?

Sergeant Manchester. I have not, sir. Mr. Cohn. I have no further questions.

Senator Mundt. Has anybody else at the table any questions you want to ask?

Mr. Welch? Senator McCarthy?

No questions. You are dismissed, Sergeant. Thank you, sir.

Mr. Jenkins. Mr. Chairman, I desire to compliment the committee, partisan interests and counsel, on the speed with which this witness was disposed of, and trust that we will follow the same rules with respect to the succeeding witnesses; and I now desire to call back the Secretary of the Army, Mr. Stevens, and state that I have no further questions to ask him. He is now your witness.

Mr. Welch. Mr. Chairman, I find on the table what I take to be

the films that the last witness testified to.

Senator Mundt. Mrs. Watt is on her way there to pick up the exhibits, sir.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Senator Mundt. The Chair has no further questions of Mr. Stevens

at this time, and will pass to Senator McClellan.

Senator McClellan. Mr. Chairman, I do not want to ask any questions of the Secretary other than to inquire if he has had time yet to compile the data that I requested regarding the number of man-hours that have been involved in this controversy.

Secretary Stevens. Not yet, Senator McClellan.

Senator McClellan. No further questions.

Senator Mundt. Senator Dirksen?

Senator Dirksen. No questions, Mr. Chairman.

Senator Mundt. Senator Jackson? Senator Jackson. No questions. Senator Mundt. Senator Potter? Senator Potter. I have no questions. Senator Mundt. Senator Symington?

Senator Symington. No questions, Mr. Chairman.

Senator Mundt. Senator Dworshak? Senator Dworshak. No questions. Senator Mundt. Mr. Welch?

Mr. Welch. No questions.

Senator Mundt. Senator McCarthy, you or Mr. Cohn or Mr. Carr. Senator McCarthy. I have a number of questions, Mr. Chairman. Mr. Stevens, you may recall that you and I had lunch together at the Pentagon some time ago.

Secretary Stevens. That is right.

Senator McCarthy. I was there at your invitation, right? Secretary Stevens. That is right.

Senator McCarthy. I believe you covered this before, but let's see if I am correct in this: The group present increased after the luncheon; is that right?

Secretary Stevens. That is right.

Senator McCarthy. Who had luncheon, No. 1, with you?

Secretary Stevens. You did, Frank Carr, Roy Cohn, John Adams, and I.

Senator McCarthy. After lunch was over, we were joined by three other people; is that correct?

Secretary Stevens. That is right.

Senator McCarthy. Who were they, Bob? Secretary Stevens. General Ridgway, Chief of Staff, General Trudeau, G-2, Intelligence, of the Army, Assistant Chief of Staff, and General Mudgett, Chief of Information.

Senator McCarthy. About how long did we talk before Ridgway

and the other two men came in?

Secretary Stevens. I think we probably had lunch about 12:30 and visited until close to 2 o'clock. I think the three generals came in about then.

Senator McCarthy. A completely friendly meeting, as you recall?

Secretary Stevens. A completely friendly meeting.

Senator McCarthy. We spent practically all the time, did we not, discussing the investigation of Communist infiltration into military installations, not only those strictly military but also defense plants; isn't that correct?

Secretary Stevens. Also what? What was that final phrase? Senator McCarthy. Not only strictly military installations, but also defense plants?

Secretary Stevens. That is right.

Senator McCarthy. At that time, you were rather unhappy, were you not, Bob, about the fact that these investigations were being conducted, and you said that you thought we should stop the "investigation" or "suspend," whatever word you want to use, and let you take over?

Secretary Stevens. No, sir, that is not correct. I was disturbed by the type of hearing which was being held, not by the investigation. Senator McCarthy. Did you object to the type of hearing?

Secretary Stevens. That is right.

Senator McCarthy. What about the hearing did you not like? Secretary Stevens. I didn't like the type of publicity that was emanating from the executive hearings which you were holding with

regard to Fort Monmouth.

Senator McCarthy. Did I explain to you at that time that as long as we had the doors open for anyone whom you cared to send to the hearings, in view of the stories, the alleged leaks, if you can use that word, that were being run by certain papers in regard to what occurred at various meetings, that I felt that I had no choice but to talk to the press after each meeting which was attended by any of your personnel, do this in the presence of Mr. Adams, give them a résumé of what occurred, without giving them the names of the witnesses; and that if I did not accurately state the facts, Mr. Adams had a right to correct me.

The reason for this was to try to keep the record straight; otherwise, we would have a few favored individuals—I think I mentioned the names of the Alsops and the Pearsons, et al., who would get the story from Pentagon leaks. That was explained to you; was it not?

Secretary Stevens. I don't recall it at all, Senator.

Senator McCarthy. Did you object at that time to my briefing

the press after the executive session?

Secretary Stevens. No, I didn't object to your briefing the press, Senator. The thing that I did object to was the way you briefed them.

Senator McCarthy. The way what?

Secretary Stevens. The way you briefed them. Senator McCarthy. Did you object to that?

Secretary Stevens. Yes, sir.

Senator McCarthy. Are you sure? This was at the Pentagon meeting?

Secretary Stevens. I repeated, I said many times I didn't want to

have the Army hammered over the head, Senator.

Senator McCarthy. You stated that a number of times. I am trying now, if I can, Bob, to tie you down to this meeting at the Pentagon, a very important one, I think. You had a purpose, of course, for calling us over there. I want to know now whether at that time you objected to the fact that I briefed the press, or did you tell me that I didn't give the press an accurate story? Did you tell them I gave them an untrue story? Just try to tell us what you objected to.

Secretary Stevens. I objected to the hammering over the head of the Army and the unfair publicity that was going on in regard to

these hearings.

Senator McCarthy. You talk about "hammering over the head." It sounds rather rough.

Secretary Stevens. I think that-

Senator McCarthy. Who up to that point had been hammered

Secretary STEVENS. I think the New York Times editorial this morning gives a pretty good picture of what I am trying to talk about here.

Senator McCarthy. Why don't you testify, and not the New York

Times?

Secretary Stevens. All right.

Senator McCarthy. Who had been hammered over the head up until the date we met at the Pentagon?

Secretary Stevens. The Army.

Senator McCarthy. You mean a few Communists in the Army,

don't you, Bob?

Secretary STEVENS. No. I mean that the net impact, as I have evaluated it, on the public and on the Army was that there was current espionage in a substantial way at Fort Monmouth, when that was not in accordance with the facts as far as I then knew.

Senator McCarthy. General Lawton suspended some 33 individuals, all because they had either a background of communism or close association with Communists. Does that, in your opinion, set the

stage for possible espionage?

Secretary Stevens. I don't have the detail of the charges. As I have said before, Senator McCarthy, to the extent we can under Presi-

dential directives, we will produce detailed information.

Senator McCarthy. You say there was no espionage at Fort Monmouth? When you suspend 33 people because of their Communist backgrounds or Communist connections, you are suspending them for fear that they may give away this secret information. If you felt they would not do that, there would be no reason to suspend them.

Secretary Stevens. I don't agree that they were Communists or Communist background. I would have to check each one of these

cases before I could possibly subscribe to that statement.

Senator McCarthy. You mean up to this point you have not checked

any of the cases?

Secretary Stevens. I know in general, but I don't know in detail. We were looking for security risks. There are a lot of things besides the things you are talking about that can constitute a security risk.

Senator McCarthy. All right. When you talk about a security risk, you are talking about a man who might give away the Nation's

secrets?

Secretary Stevens. Possibly wholly unintentionally by being too

talkative, or something of that kind.

Senator McCarthy. But in any event when you talked about a security risk, or a loyalty risk, you are talking about a man who may either purposely or inadvertently give away the Nation's secrets?

Secretary Stevens. We are talking about somebody that you want

to be darn sure it is safe to have on sensitive work.

Senator McCarthy. Well all right.

Now, what is espionage, in your vocabulary?

Secretary Stevens. Spying.

Senator McCarthy. Well, now if a man gives away a secret that would be a violation of the Espionage Act, would it not?

Secretary Stevens. You would know about that; I assume that

would be correct.

Senator McCarthy. Well, Robert, you are the Secretary of the Army?

Secretary Stevens. That is right.

Senator McCarthy. Well, now, if a man, or if an employee of the Army gave an unauthorized person secret, top secret, or confidential material, that would be a violation of the Espionage Act?

Secretary Stevens. You are familiar with that; I assume that it would be Senator, and it certainly sounds so.

Senator McCarthy. Don't you know? Secretary Stevens. I would like to ask counsel about that.

Senator McCarthy. You may.

Mr. Welch. I would rather ask Mr. Jenkins and let him tell us. Senator Mundt. Mr. Jenkins has been unsworn so he can't testify, but you may advise your witness if you care to.

Mr. Jenkins. I recall distinctly having asked the Secretary the very same question as to what espionage is. But the Senator has

a right to pursue it further if he so desires.

Senator McCarthy. Don't you know what espionage is? I ask you, Bob, because you made the statement several times here that there was no espionage at Fort Monmouth. I am trying to find out if you know what it is.

Secretary Stevens. I had made the statement there was no

espionage as of the time of that luncheon that I knew about.

Senator McCarthy. Well since that time, there have been suspended a number of individuals because of Communist backgrounds

or connections; is that not right?

Secretary Stevens. I wouldn't say; I can't agree on the last, without looking them up, Senator; there were suspensions, most of which, as you know, took place in the month of October and some in

Senator McCarthy. What is the date of the meeting, do you

remember?

Secretary Stevens. Yes, November 6.

Senator McCarthy. Do you recall at that time, Mr. Secretary, that when we were discussing this matter, that I told you that even though I personally liked you, that I couldn't possibly call off a hearing, and if I did I would be guilty of the same type of activities, which I condemned and campaigned against, on the part of some of the members of the opposite political party? Do you remember that?

Secretary Stevens. I don't remember that exact language. But I remember some general thought along that line, I think, Senator. Senator McCarthy. I told you, didn't I, Mr. Secretary, that I could not call off the investigation because I thought it would be improper

on my part to do it?

Secretary Stevens. I didn't want you to call off the investigation.

Senator McCarthy. Did I tell you that, Bob?

Secretary STEVENS: I don't recall that.

Senator McCarthy. Well, substantially, did I tell you that? Secretary Stevens. I remember some general talk along that line, yes, Senator.

Senator Mund. The Senator's time has expired.

Now, Mr. Counsel?

Mr. Jenkins. No further questions.

Senator Mundt. Mr. Secretary, I would like to ask you 2 or 3 questions about an event related somewhat to this general area, but limited to 1 particular report that has come to the attention of the chairman over the course of the past 48 hours.

It deals with the compilation and publication of what I think now may have been called, too optimistically, as a memo of under-

standing. You will recall, I am sure, that event?

Secretary Stevens. Yes, sir.

Senator Mundt. The report has come to me that it has been stated, and I am sure not by you, but I want the record to be clear, it has been stated that Senator Potter and Senator Dirksen and Senator Mundt were guilty of some type of entrapment in inviting you to attend what has become now by newspaper language to be called a chicken luncheon in Senator Dirksen's office.

And I would like to ask you a few questions about that.

Secretary Stevens. Yes, sir.

Senator Mundr. Do you recall that I telephoned you one day from my office about the possibility of having that luncheon?

Secretary Stevens. Yes, sir. I don't know where you were, but I

know you called me.

Senator Mundt. Do you recall that, in general, the tenor of my conversation with you over the telephone was to the effect that since a public hearing had been established, and since it had been decided to have you appear as a public witness, and since the previous conversations which I have had with you I felt that some of the purposes for the public hearing had been misunderstood by the press, and that I thought it might serve the public interest if you, Senator Potter, Senator Dirksen, and I, together with Senator McCarthy might meet for lunch and see how wide were the areas of disagreement and whether they could be dissolved?

Secretary Stevens. Yes; I don't know that I recall all of what you have said, Mr. Chairman, but substantially that was the idea.

Senator Mundt. The particular point in question, I think, you will recall, that I mentioned to you specifically, that we would have Senator McCarthy at that luncheon.

Secretary Stevens. Yes, sir.

Senator Mundt. I simply wanted the record to be clear, because it had been reported to me that somebody had said, in your behalf, and I was confident it was not you, that you did not know that Senator McCarthy was going to be at that luncheon, and I am sure I advised you of that over the telephone, and I am sure that I advised you of the fact when you came to my office, and we walked over to the place of the luncheon together; isn't that correct?

Secretary Stevens. That is correct.

Senator Mundt. Thank you. That was all.

Senator McClellan?

Senator McClellan. What was the date of that luncheon?

Secretary Stevens. The 24th of February. Senator McClellan. The 24th of February? Secretary Stevens. Yes, sir.

Senator McClellan. That was a partisan luncheon, was it; the Democrats were not invited?

Secretary Stevens. They were not present.

Senator McClellan. You don't blame them for what occurred?

Secretary Stevens. No, sir.

Senator McClellan. Thank you. Senator Mundt. Senator Dirksen? Senator Dirksen. I have no questions. Senator Mundt. Senator Jackson?

Senator Jackson. I have no questions. Senator Mundt. Senator Potter?

Senator Potter. I have no questions. Senator Mundt. Senator Symington? Senator Symington. I have no questions. Senator Mundt. Senator Dworshak. Senator Dworshak. I have no questions.

Senator Mundt. Mr. Welch? Mr. Welch. I have no questions.

Senator Mundr. Senator McCarthy, or Mr. Cohn or Mr. Carr? Mr. Cohn. Mr. Stevens, to get back to something we were talking about yesterday, did you on November 24 send John Adams to New York to talk to me and to Senator McCarthy, and ask whether or not Senator McCarthy would agree not to make a public issue if you relieved General Lawton of his command at Fort Monmouth?

Secretary Stevens. November 24, wasn't that the date that your

public hearing started on Fort Monmouth? Mr. Cohn. That is the exact date, sir.

Secretary Stevens. I know; I think that I know John Adams can testify to it, but I think he went up there for that hearing and that

was my recollection.

Mr. Cohn. And sir, maybe you didn't understand me, my question to you was, if I may: Did Mr. Adams come to New York carrying a message from you to Senator McCarthy, asking an assurance from Senator McCarthy that he would not make a public issue and charge reprisal for cooperation if you were to relieve General Lawton of his command at Fort Monmouth on that day or the next day?

Secretary Stevens. As I have testified frequently, on this witness chair, Mr. Cohn, I had under consideration the question of the commanding general at Fort Monmouth, and I again say I dislike very much to go into the personal situation of a fine professional soldier.

I had been concerned about some statements that were reported to me, and I also, as I testified vesterday morning, had wanted to be sure that all of our commanding officers, including General Lawton, used the maximum possible judgment with respect to any suspensions they made to the end that we would not work an injustice on an innocent person.

Mr. Cohn. Mr. Chairman, Mr. Jenkins, maybe you can give me a little help here. I was trying to ask the Secretary whether he sent Mr. Adams to New York with a message, asking a promise of silence

by Senator McCarthy.

Mr. Jenkins. May I make a suggestion to you, sir, that if you will give Mr. Cohn a direct answer, and I must say that you did not answer his question.

Secretary Stevens. 1 am sorry.

Mr. Jenkins. I am sure you will be taken off the witness stand much

sooner than you otherwise would.

Secretary Stevens. I am sorry, sir. I gave you the background of the situation because I wanted people to understand why it was that we wanted Senator McCarthy to know that this matter was under consideration, of whether or not there might be a change at Fort Monmouth. I was working very closely with Senator McCarthy and the committee, cooperating all down the line, and I thought a thing as important as that he ought to know.

Mr. Jenkins. May I suggest that the reporter read the question, to the Secretary, and that you request the Secretary to answer the question directly.

Senator Mundr. The reporter will read the question to which it

appears there has not been an answer.

(Whereupon, the question referred to was read by the reporter as above recorded.)

Secretary Stevens. No; I did not send Adams to New York for that

purpose.

Senator Mundt. I do not believe the Secretary had finished his answer, had you?

Secretary Stevens. No, sir.

Senator Mundt. You may continue.

Secretary Stevens. I was going to say my recollection is that I telephoned Mr. Adams in New York and asked him to advise Senator McCarthy that I had this matter under consideration.

Is that a responsive answer, Mr. Jenkins?

Mr. Jenkins. A partial response, but not entirely.

Secretary Stevens. I am really trying to do it the way it should

be done.

Mr. Jenkins. Then the further question was whether or not you directed Mr. Adams to ask Senator McCarthy whether or not he, Senator McCarthy, would take reprisals against you if you relieved Lawton of his command at Fort Monmouth.

Secretary Stevens. No, sir. I wanted to inform Senator McCarthy of what I was giving consideration to.

Senator MUNDT. Mr. Cohn?

Mr. Cohn. Mr. Secretary, what I was trying to get was this: Did you ask Mr. Adams to go to Senator McCarthy and get for you an assurance from Senator McCarthy that Senator McCarthy would not make a public issue of the relieving of General Lawton of his com-

Secretary Stevens. I asked him to inform Senator McCarthy of

the fact that I had this matter under consideration.

Mr. Jenkins. I must hold that is not a direct answer. You can answer that, Mr. Secretary, "Yes" or "No" and then make such explanation as you see fit; whether or not Senator McCarthy would make a public issue of your relieving General Lawton of his command by reason of General Lawton's having cooperated with the committee. Did you want to know whether or not Senator McCarthy would make a public issue of that if you relieved General Lawton from Fort Monmouth?

Secretary Stevens. I wanted Senator McCarthy to have the infor-

mation. I wanted John Adams to find out how he felt about it.

Mr. Jenkins. I must hold that is not a direct answer. The question is, Did you want assurances from Senator McCarthy that he would not make a public issue of it if you relieved General Lawton of his command?

Secretary Stevens. I have no recollection of that at all, sir.

Mr. Cohn. Maybe, Mr. Secretary-

Senator Mundt. Mr. Cohn. Mr. Cohn. Thank you, sir.

Possibly I can refresh your recollection. Did Mr. Adams call you at approximately 2 p. m., on the afternoon of November 25 from a room adjoining the hearing room at the United States courthouse in the presence of Senator McCarthy to tell you that he had bad news for you in that Senator McCarthy would not agree to silence if you relieved General Lawton of his command at Fort Monmouth?

Secretary Stevens. I do not remember that exactly. I can look it up and see. I know that I called Mr. Cohn—I called Mr. Adams up

there once myself and he called me back.

Mr. Cohn. I am sorry.

Secretary Stevens. He called me back and said, as I recall it, that he had informed Senator McCarthy, who was distressed about it, because he felt that General Lawton was cooperating fully with the committee, and he therefore would like to have General Lawton continue on.

Mr. Cohn. Is one of the things concerning which you demanded a written explanation of General Lawton on November 25 praise by him of Senator McCarthy?

Secretary Stevens. No. sir.

Mr. Cohn. Maybe I can rephrase that, Mr. Secretary.

Did General Lawton submit to you through General Back a memorandum purporting to give his explanation of various matters which he had said which you thought he should not have said?

Secretary Stevens. He prepared a memorandum at my request outlining the substance of some statements he had made at Fort Monmouth, the substance of which I was interested in knowing about.

Mr. Cohn. Prior to asking for that memorandum, you had indicated to General Back that you were thoroughly displeased with General Lawton and his judgment and the statements he had made, had you not?

Secretary Stevens. No, I did not say I was thoroughly displeased. I simply alerted General Back to the fact that I was giving the matter

some thought and I would like him to do likewise.

Mr. Cohn. Mr. Secretary, does not paragraph 9 of the memorandum that General Lawton was required to submit contain an explanation by him as to a compliment which he had paid to Senator McCarthy?

Secretary Stevens. I think there is something in there about it. I

do not remember the paragraph number.

Mr. Cohn. My next question is this: Did you not refuse to see General Lawton when he was in your waiting room on the afternoon—

Secretary Stevens. I did not see him, but I do not refuse to see people if I can possibly work them in. But I have a pretty heavy schedule over there and cannot see everybody that would like to see me.

Mr. Cohn. Maybe I did not make myself clear, Mr. Stevens. On the afternoon of November 25, did General Back bring General Lawton to your outer office?

Secretary Stevens. I think he did.

Mr. Cohn. Did General Back enter your office?

Secretary Stevens. I think he did.

Mr. Cohn. Did he ask you if you would see General Lawton? Secretary Stevens. I do not think he asked me. I think he told me General Lawton was out there, and did I want to see him.

Mr. Cohn. Did you see General Lawton to get his explanation of

what he had said?

Secretary Stevens. No, because I had this memorandum coming in, and that was the information I wanted about the speeches that he had made on the post.

Mr. Cohn. Was this the same afternoon that Mr. Adams telephoned you and told you that Senator McCarthy would not agree to remain

silent if a reprisal was taken against General Lawton?

Secretary Stevens. I do not remember whether that was in the morning or the afternoon, but I think it was the same day.

Mr. Conn. It was all around the same time, is that right, sir?

Secretary Stevens. The same day, I think.

Mr. Cohn. I see. I want to leave that for a minute, if I might, Mr. Secretary, and come to this: Allegation on the Adams-Stevens allegation, whatever it might be called, No. 12 of improper means used to get preferential treatment for Private Schine, you list a meeting that took place in your office on the afternoon of November 16 in which you say that Mr. Carr and I made threats to you. That is listed as allegation No. 12 of the improper means to get preferential treatment for Private Schine. I wonder if you could tell the committee whether or not Private Schine's name was mentioned on that afternoon.

Secretary Stevens. I do not recall, Mr. Cohn, at this moment that

Schine was, but I would like to think about it.

Mr. Cohn. I see.

Mr. Chairman, I have no more objection to the Secretary's trying to think about anything he might have said or know about me than I do to his trying to think about anything he said about Mr. Carr. I wonder this, though: Could you now tell us, having listed this very serious allegation against me, whether or not you can recall my saying anything about Private Schine to you on that afternoon?

Secretary Stevens. No, but I can remember some other things you

said.

Mr. Cohn. Were they with reference to Private Schine, sir? Secretary Stevens. They were with reference to my press confer-

ence and also to the hearings.

Mr. Cohn. First of all, this is listed as allegation No. 12 of "Use of improper means to get preferential treatment for Pvt. G. David Schine." I was wondering if you want to tell the committee whether or not I used any improper means, or Mr. Carr did, on that afternoon to get preferential treatment for Private Schine.

Secretary Stevens. Well, Mr. Cohn, I only know how to answer these questions by using a few words. It is not an agreement to prolong or evade or anything else, but I can give you my general feeling

about that meeting if you want me to.

Mr. Cohn. That would be fine, and I wonder first if we could do this: Would you agree with me, sir, that Mr. John Adams at your request telephoned me at my home on Sunday afternoon, November 15, and asked me to come to Washington and be in your office the next morning, and stated that if I could not be there you and he would fly to New York to see me that Sunday night?

Secretary Stevens. John Adams will have to testify about that.

I do not recall.

Mr. Cohn. I just wondered if you could tell us whether or not Mr. Adams called me, carrying a message from you——

Secretary Stevens. I cannot tell you.

Mr. Cohn. Asking me to be present in your office the next afternoon to discuss a matter with you concerning which you were very much distressed, whether or not you had Mr. Adams tell me at your request that if I could not be there, the matter was of such urgency to you that you and he would fly up to New York to see me that very same Sunday night.

Secretary Stevens. I have no knowledge of that. I do not remem-

ber anything about that.

Senator Mundt. Mr. Cohn, your time has expired.

Mr. Jenkins?

Mr. Jenkins. Mr. Secretary, as I understand it, you had under consideration relieving General Lawton prior to November 24, for reasons that you have stated, is that correct?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And as I further understand it, you have the authority as Secretary of the Army to relieve a general of his command if in your discretion you think it proper?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And without the advice or consent of any other person?

Secretary Stevens. Well, that isn't the way it would work, in prac-

tice, but I could do it.

Mr. Jenkins. Certainly without the advice and consent of Senator McCarthy?

Secretary Stevens. That is right.

Mr. Jenkins. Now, Mr. Stevens, you were asked whether or not Mr. Adams went to New York City on November 24, and was sent there by you, and whether or not his mission was to talk to Senator McCarthy and find out whether or not Senator McCarthy would make a public issue of it if you relieved General Lawton of his command.

As I understood your answer, you said that you did not remember

it, is that right, Mr. Secretary?

Secretary STEVENS. My recollection is that Mr. Adams went to New York to attend the public hearings of the Fort Monmouth hearings by this committee, and that I telephoned him while he was there and told him that I was giving thought to this matter, and asked him to take it up with Senator McCarthy and advise him about it.

Mr. Jenkins. All right, you called him in New York, on long distance, and told him to tell Senator McCarthy that you were giving thought to relieving General Lawton and to find out how Senator

McCarthy felt about it.

Secretary Stevens. Yes, sir; that is right.

Mr. Jenkins. Is that right?

Secretary Stevens. I wanted to inform him absolutely and know what his reaction was.

Mr. Jenkins. Why is that a matter of any concern to you, Mr.

Secretary——

Secretary Stevens. Because—

Mr. Jenkins. What he felt about it? You said you made the decisions without consulting and advising him, and it was charged here that you were going to relieve General Lawton from his command because he had cooperated with the McCarthy committee.

Now, you see the implications of this, and the importance of it, and the committee wants to know do you now say that you telephoned Mr. Adams and told him to tell Senator McCarthy that you had under consideration relieving General Lawton, and that you wanted Senator McCarthy advised about it to get his reaction. If that right?

Secretary Stevens. That is the way it was. Mr. Jenkins. Why was that, Mr. Secretary?

Secretary Stevens. Wholly on the basis of the cooperation with Senator McCarthy and this committee which I have testified to at length, and it was another evidence of my desire not to take any action that could be considered noncooperative by Senator McCarthy. And I think if I had taken the arbitrary action of relieving General Lawton, that Senator McCarthy would have considered that as an act of noncooperation by the Army with this committee, and I didn't want to do that.

Mr. Jenkins. In other words, you felt that, or you understood that General Lawton had been cooperating with the McCarthy commit-

tee, didn't you?

Secretary Stevens. Oh, yes, sir, and so had I.

Mr. Jenkins. In the investigation of these subversives.

Secretary Stevens. That is right.

Mr. Jenkins. And the dismissal or suspension of them?

Secretary Stevens. That is right.

Mr. Jenkins. And you knew that General Lawton himself had suspended a number on his own volition, since about October 1, didn't you?

Secretary Stevens. That is right.

Mr. Jenkins. And, Mr. Secretary, you say that you did not want to relieve General Lawton without first learning of what sort of a reaction it would bring from Senator McCarthy and with the fear, shall we say, that he might charge that you had done it as a reprisal, is that right, because of Lawton's cooperation with him, McCarthy; is that it?

Secretary Stevens. May I have that recorder read that please, Mr.

Jenkins?

Senator MUNDT. Read the question.

(Whereupon, the question referred to was read by the reporter, as recorded above.)

Secretary Stevens. I don't know anything about reprisal, Mr.

Jenkins.

Mr. Jenkins. Let me ask you this question. You had relieved other generals, I take it, of their command from time to time, had you not?

Secretary Stevens. No, sir; I had not.

Mr. Jenkins. He was the only one under consideration?

Secretary Stevens. At that time, yes, sir.

Mr. Jenkins. You had never consulted Senator McCarthy about any other change, promotion, demotion, switching, or changing or anything of the kind, had you, of the personnel of the Army?

Secretary Stevens. That is right.

Mr. Jenkins. Now, it might appear to this committee, and I don't know how their minds are running, that you did not want or perhaps was afraid to relieve General Lawton without first finding out whether or not he would make an issue of it, and charge you with

having done it as a reprisal against General Lawton by reason of

his cooperation with McCarthy, Senator McCarthy.

Now, Mr. Secretary, the committee, I am sure, wants to know whether or not the purpose of your long distance call to Mr. Adams was to get him to ascertain whether or not Senator McCarthy would make an issue of it. Now, was it or not?

Secretary Stevens. My purpose—

Mr. Jenkins. I believe you can answer it yes or no.

Secretary Stevens. The purpose of my call was to inform Senator McCarthy that I had this under consideration.

Mr. Jenkins. Well, why inform Senator McCarthy? He had noth-

ing to do with it.

Secretary Stevens. To inform him because of my policy of constant and continued cooperation with the committees of the Congress, and with your permission, I would like to read just 5 lines from a report of this committee, just 2 weeks after the date we are talking about, published public hearing on Fort Monmouth, and this statement by the chairman of this committee:

The CHAIRMAN. We will have to call all of the members of the Board and put them under oath, and may I say, John—

referring to Mr. Adams-

and this is not a criticism of you, I think that you have tried to cooperate with this committee fully, and I think Mr. Stevens has.

That is an official report of this committee.

Mr. Jenkins. Mr. Secretary, now let us keep to the issues. This serious charge is made against you by the McCarthy staff that by reason of General Lawton's cooperation with you or his attitude toward subversives you were about to relieve him of his command at Fort Monmouth with the implication of their charge is that you were afraid to do so until you first ascertained whether or not Senator McCarthy would make it a public issue.

Now, that is the charge against you.

Secretary Stevens. I was not afraid to do so.

Mr. Jenkins. I didn't ask you that question; I am pinpointing the

charge.

You do say that you called Mr. Adams and told him to tell Senator McCarthy that you had under consideration relieving General Lawton; that is correct, isn't it?

Secretary Stevens. Yes, sir.

Mr. Jenkins. And I believe you say that you told Mr. Adams to get Senator McCarthy's reaction to that, am I correct in that?

Secretary Stevens. To inform him, that is right.

Mr. Jenkins. You wanted to know how Senator McCarthy would feel—

Secretary Stevens. That is right.

Mr. Jenkins. If you relieved General Lawton?

Secretary Stevens. That is correct. Mr. Jenkins. That is correct, isn't it?

Secretary Stevens. That is right.

Mr. Jenkins. Now, I think we are entitled to a "yes" or "no" answer on this. Did you tell Mr. Adams to convey to Senator McCarthy the fact that you were going to relieve him if he, Senator McCarthy, would not make a public issue of it?

Secretary Stevens. I don't recall that, Mr. Jenkins.

Mr. Jenkins. Now, Mr. Secretary, I was criticized very severely. And I don't mind confessing it here in public, maybe I deserved it. If I do, I now offer a public apology for pressing this private yesterday on a yes or no answer. You are the Secretary of the Army. And I think this committee is entitled—that is a tremendously important issue in this. And you have known about these charges for some time.

I am not arguing with you. You have had some 1 or 2 or 3 days rest. Now you tell this committee that on that tremendously vital issue, that is, whether or not you told Mr. Adams to tell Senator McCarthy that you were going to relieve this general, General Lawton, if he would not make a public issue of it, your answer today is "I don't

Now, Mr. Secretary, you ought to explain why you don't remember that.

Secretary Stevens. My answer to that is "No, but."

Mr. Jenkins. I beg your pardon? Secretary Stevens. My answer to your question is "No, but." Mr. Jenkins. "No, but"?

Secretary Stevens. You say you want "yes" or "no," and I say, "No, but we understand-

Mr. Jenkins. Your previous answer was that you didn't remember, wasn't it? That is correct, isn't it? I will have him read it.

Secretary Stevens. All right, let us read it.

Mr. Jenkins. Read the question and read the answer.

Senator Munder. Will the reporter go back to the colloquy at issue, and read sufficiently so that we can find out what has been said by the witness?

(Whereupon, the previous question and answer were read by the

reporter as above recorded.)

Mr. Jenkins. All right, your answer is that you don't recall it.

Do you mean by that that you don't remember about it?

Secretary Stevens. No. I am just trying to handle this "yes" or "no" business, Mr. Jenkins.

Mr. Jenkins. Are you able to say positively that you did not do

that?

Secretary Stevens. On that question the way it was read, the way I concentrated on it while the reporter was reading it, I would say "No," but then I would like to offer an explanation.

Mr. Jenkins. Very well.

Secretary Stevens. That question says "conveyed to Senator Mc-Carthy the fact that I was going to relieve General Lawton." That was not the fact.

Mr. Jenkins. The question goes further than that.

Secretary Stevens. But-

Senator Mundt. You are trying to correct that one phrase, isn't

that right?

Secretary Stevens. Yes. That wasn't what I said. I didn't know whether or not I was going to relieve General Lawton, and the fact is I did not, and he is still the commander there, and has done a splendid job.

Mr. Jenkins. Are you able now and do you deny now positively that you told Mr. Adams, your attorney, to convey the message to Senator McCarthy that you were going to relieve General Lawton of his command of Fort Monmouth if he, Senator McCarthy, would not make a public issue of it?

Secretary Stevens. Yes, I deny that.

Mr. Jenkins. You deny that and say positively it did not occur?

Secretary Stevens. That is right, but what I would like to make clear, if I haven't already, is that I told Mr. Adams I would like Senator McCarthy to be informed about this, that I was cooperating with his committee and I didn't want to do anything that was noncooperative, and I would like to know what Senator McCarthy's reaction was.

Mr. Jenkins. Mr. Secretary, this one last question: In view of the fact that you, and you alone, were charged with the responsibility of relieving the general, did you, and you alone, in view of his qualifications, the character of the work he was doing, feel that Senator McCarthy was in no position whatever, being in the legislative branch of the Government, to pass on the qualities or fitness of General Lawton to preside over the destinies of Fort Monmouth, and in view of the fact that you say now that you called Mr. Adams in New York City and told him to tell Senator McCarthy that you were considering relieving General Lawton of that command, and, as I remember, that you wanted the Senator's reaction to that—is it not a fact, Mr. Secretary, that you did not—would not relieve General Lawton of that command without first either getting Senator McCarthy's consent to do so or his reactions that would occur if you did do so?

Secretary Stevens. That, if I may say so, Mr. Jenkins, is a rather

complicated question, but I will try to answer it.

Mr. Jenkins. There is no trick to it.

Secretary Stevens. I know there is no trick to it. I realize that, sir. If I had come to the conclusion that General Lawton should be relieved, I would have done so. But I thought it was appropriate, when I started thinking about it seriously, to advise Senator McCarthy, because I wanted to follow my policy of cooperation here, and I did not want this committee to feel that I was acting in a noncooperative manner.

Mr. Jenkins. This other question: Would you have construed the removal of General Lawton from the command of Fort Monmouth as an act of disloyalty to Senator McCarthy or his committee?

Secretary Stevens. No, sir.

Mr. Jenkins. Or as an act that would be construed as being an

attitude of noncooperation with the committee on your part?

Secretary Stevens. I think it could have been considered as a non-cooperative thing, yes, because I know that Senator McCarthy and his staff thought highly of the cooperation from General Lawton, and it seemed to me, therefore, appropriate, since they were working very closely with that installation, that he ought to know of any major change like that that I might have in mind.

Mr. Jenkins. I take it that during the period of your consideration of the fate of General Lawton at Fort Monmouth, you also considered

his successor?

Secretary Stevens. No, sir, I didn't.

Mr. Jenkins. Regardless of who his successor would have been, he would have been a man who would have cooperated with Senator McCarthy and his staff just like General Lawton did?

Secretary Stevens. That is correct.

Mr. Jenkins. In which instance Senator McCarthy would have had no cause to complain or make an issue of it. That is right, is it not?

Secretary STEVENS. That is right. But General Lawton had already demonstrated his cooperation, and it seemed to me that Senator McCarthy would like to know about that if I were going to make a change.

Mr. Jenkins. Well, I take it that the message you got back from Mr. Adams was that Senator McCarthy would have construed it as a

reprisal against General Lawton, is that correct?

Secretary Stevens. I do not know about reprisal, but I certainly got the word back that Senator McCarthy would not be pleased if Lawton were relieved.

Mr. Jenkins. That he would not be pleased if Lawton were re-

lieved?

Secretary Stevens. That is right.

Mr. Jenkins. Who conveyed that message to you? Secretary Stevens. Mr. Adams, as I recall it.

Mr. Jenkins. You did not relieve General Lawton thereafter? Secretary Stevens. I did not then and haven't since, and I have no intention of it.

Mr. Jenkins. Was it because of the word you got from Mr. Adams that Senator McCarthy would not stand for it or would be displeased?

Secretary Stevens. No, sir; it was not.

Mr. Jenkins. Further investigation revealed, then, that General Lawton was the right man to continue there, and that is the only reason you continued him; and the fact that it did not meet with the approval of Senator McCarthy had nothing to do with it?

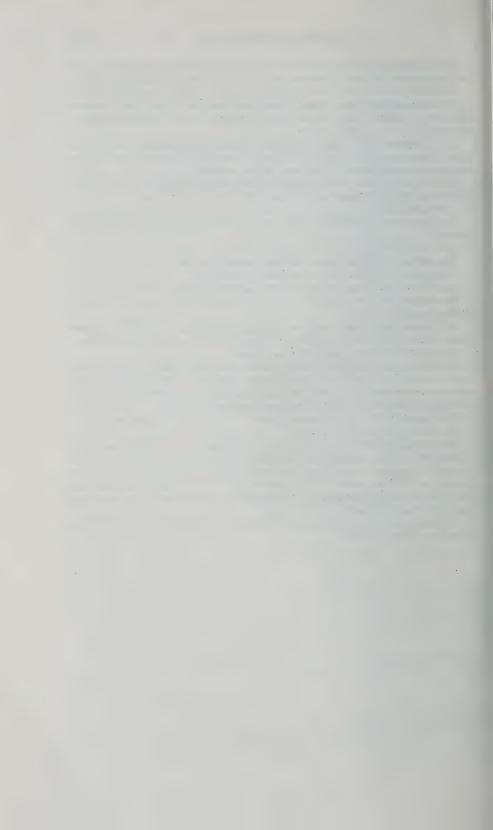
Secretary Stevens. Absolutely not. I settled it on the merits.

Mr. JENKINS. That is all.

Senator Mundt. Mr. Welch, our watchdog of the time, has been signaling to the chairman. He asked me at the lunch hour—he wanted to go to Boston this afternoon. I believe, therefore, that we might as well adjourn at this point until 10:30 Monday morning. The Chair would like to have an executive meeting of the committee in his office at 5 o'clock.

(Whereupon, at 4:40 p. m., a recess was taken until 10:30 a. m.

Monday, May 3, 1954.)



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